

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND NINETEEN

H.P. 813 - L.D. 1109

An Act Regarding All-terrain Vehicles

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 12 MRSA §13001, sub-§3, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

3. All-terrain vehicle or ATV. "All-terrain vehicle" or "ATV" means a motor-driven, off-road, recreational vehicle that was originally designed by the manufacturer for and is capable of cross-country travel on land, snow, ice, marsh, swampland or other natural terrain. "All-terrain vehicle" or "ATV" includes, but is not limited to, a multitrack, multiwheel or low-pressure tire vehicle; a motorcycle or related 2-wheel, 3-wheel or belt-driven vehicle; an amphibious machine; or other means of transportation deriving motive power from a source other than muscle or wind. For purposes of this subpart, "all-terrain vehicle" or "ATV" does not include ~~an automobile~~ a motor vehicle as defined in Title 29-A, section 101, subsection 7; ~~an electric personal assistive mobility device as defined in Title 29-A, section 101, subsection 22-A;~~ a truck as defined in Title 29-A, section 101, subsection 88; a snowmobile; an airmobile; a construction or logging vehicle used in performance of its common functions; a farm vehicle used for farming purposes; or a vehicle used exclusively for emergency, military, law enforcement or fire control purposes 42.

Sec. 2. 12 MRSA §13157-A, sub-§5-A, as enacted by PL 2007, c. 202, §1, is amended to read:

5-A. Operating a motor vehicle on an ATV trail. A person may not operate a ~~truck, pickup truck or passenger motor vehicle~~ motor vehicle as defined in Title 29-A, section 101, subsection 42 on a designated ATV trail that is not on a gravel road system unless that use has been authorized by the landowner or the landowner's agent or it is necessitated by an emergency involving the safety of a person or property. ~~For purposes of this subsection, "pickup truck" and "truck" have the same meanings as in Title 29-A, section 101, subsections 55 and 88, respectively, and "passenger vehicle" means a self-propelled 4-wheel motor vehicle designed primarily to carry passengers on public roads.~~

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

B. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.