

132nd Legislature

Senate of
Maine

Senate District 6

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LD 19 - An Act to Change the Definition of "Oversized ATV" in the Laws Governing the Registration of All-terrain Vehicles

Good afternoon, Senator Baldacci, Representative Roberts and distinguished members of the Joint Standing Committee on Inland Fisheries and Wildlife. I'm here to introduce LD19 - *An Act to Change the Definition of "Oversized ATV" in the Laws Governing the Registration of All-terrain Vehicles*. My name is Marianne Moore. I proudly represent Senate District 6 which includes all of Washington County and 16 Communities in Eastern Hancock County.

You may recall several years ago there was a great deal of discussion about the use of "Oversized ATVs" on our Trail System throughout the State. 12 MRSA §13155, sub-§5-B, was amended to read:

"5-B. Oversized ATV; exception. A person may not register an oversized ATV except as provided in this subsection. A resident who has registered an oversized ATV prior to January 1, 2022 may continue to register that oversized ATV upon payment of the fee specified in subsection 5, paragraph A, and upon a transfer of ownership of that registered oversized ATV, the new owner may also register that oversized ATV upon payment of the fee specified in subsection 5, paragraph A. Registration is not required for an oversized ATV operated by a person on the land of another if written permission is received from the landowner or lessee of the land and the person is engaged solely in a business activity, other than a business activity involving recreational use of the oversized ATV. For purposes of this subsection, "oversized ATV" means an ATV that is wider than 65 inches or weighs more than 2000 pounds according to the manufacturer's specifications."

Last fall I was contacted by John Leighton, Head Selectman for the Town of Princeton, with concerns about this weight limit. He mentioned how he has had several constituents who recently purchased new All-terrain Vehicles (ATV) and are not able to register them due to their weighing over the 2,000-pound limitation. He went on to explain one weighed 2,237 and another 2,400 thus his request for me to put in this bill to increase the minimum weight to 2,500.

In November I was also contacted by Robert Kisenwether. His wife, Karen Kisenwether, suffers from certain handicaps that leave her unable to access any conventional vehicle they attempt to get her into, and thus cannot make it to her doctor's appointments and other essential trips.

He recently purchased a side-by-side vehicle as a novel way to fix this. Apparently, the setup allows for easier access. However, Maine's current Oversized ATV Laws prohibit ATV's wider than 65 inches or north of 2,000 pounds from being registered for use on public roads. His vehicle happens to be 237 pounds over the established limit.

As such, he's left without any means of transporting his wife to and from these different locations that she cannot go without. He was hoping I would put in a bill to carve out an exception when handicapped individuals who are in predicaments similar to that of his wife are involved.

In view of both requests, I put in this bill requesting we increase the minimum weight of an ATV to 2,500 pounds.

I ask for your consideration and support of this important bill!

Thank you!