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Testimony of John Melrose
Maine Woodland Owners
In Opposition to
LD 19

An Act to Change the Definition of “Oversized ATV” in the Laws Governing
the Registration of All-Terrain Vehicles

Senator Baldacci, Representative Roberts and members of the Joint Standing Committee on Inland Fisheries and Wildlife, my name is John Melrose, I live in Vassalboro, and I am representing Maine Woodland Owners today in opposition to LD 19, “An Act To Change the Definition of “Oversized ATV” in the Laws Governing the Registration of All-Terrain Vehicles”.

The bill before you today changes the definition of “oversized ATV” to increase the weight threshold from 2,000 pounds to 2,500 pounds. It is very similar to a bill this Committee rejected in the 2nd Regular Session of the 130th Legislature, which would have increased the weight threshold from 2,000 pounds to 2,400 pounds.

While the change proposed in this bill may seem like a simple one, what is not so simple is the history that precedes the bill.

In response to a growing number of issues, Governor Mills created the ATV Task Force in 2019 to take a comprehensive look at, and make recommendations regarding, the operation of ATVs in Maine. That taskforce made many significant recommendations which ultimately were approved by this Committee, passed by the Legislature, and signed by the Governor in 2021. The bill contained a number of recommendations including the limitation on the size and weight of ATVs that can be registered in Maine to 65 inches wide and 2,000 pounds.

The Governor’s ATV Task Force, on which Maine Woodland Owners served, included representatives of ATV, landowner, conservation, and law enforcement communities. The Task Force met for seven day-long meetings that were open to public attendance and participation. What became clear in the Task Force’s discussions was that there were significant concerns developing over the increasing size and weight of ATVs. Landowners who provide 90% of the trails, with no benefit to themselves, were clear that this issue, and the impact on their lands, had to be addressed. In fact, limiting the size and weight of ATVs was one of, if not the most discussed issues. The Task Force arrived at the recommended size limit of 65 inches

and 2,000 pounds (which was significantly higher than the common standard in place at the time) as a compromise. The recommendations regarding the weight and width limitations were deliberate and intentional. Some landowners wanted much smaller limits, while other parties didn't want limits at all. What everyone could agree on was that some compromise was necessary in order to create a sustainable ATV program.

The legislation which passed included the Task Force's recommended size limits. Also included was a very important grandfather provision that permits an owner who registered an oversized ATV prior to January 1, 2022, to continue to register that oversized vehicle. This right extends to any subsequent owner when ownership of the oversized ATV is transferred. What's more, the Department of Inland Fisheries and Wildlife interpreted this law to allow anyone who had purchased an oversized ATV by January 1, 2022 to register the vehicle, regardless of whether they had completed the registration by that time.

The bill before you now undermines the compromise the Task Force worked so hard to achieve and seeks to change the weight limitation from 2,000 pounds to 2,500 pounds. We believe this change is unnecessary in light of the grandfather provision. Anyone who had registered (or purchased) an oversized ATV prior to January 1, can continue to register them. Moreover, purchasers are not prohibited from buying and using oversized ATVs. Those wishing to purchase an oversized ATV after January 1, 2022 are given notice of the size and weight restrictions at the time of purchase, and if they choose to buy the oversized ATV, they will still be able to use the vehicle on their own private land.

One of the key considerations of the Task Force and legislation was to establish a weight and size restrictions acceptable to most landowners, in order to avoid a confusing and disjointed trail system with different weights and size restrictions on different landowner's properties. The existing restrictions have accomplished that. It is also worth mentioning that should this hard fought compromise on size and weight restrictions be changed, we are concerned that you will see an increase in the number of landowners who choose to limit the size of ATVs allowed on their property or who deny access to ATVs all together.

Maine Woodland Owners opposes this change from 2,000 to 2,500 pounds and urges the Committee to vote ought not to pass on LD 19.