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**Testimony of Meghan Russo
Maine Department of Transportation
Before the 132nd Legislature, Joint Standing Committee on Transportation**

In Opposition

LD 557, An Act to Allow all-terrain Vehicles to Be used on a Public Way

Senator Nangle, Representative Crafts and distinguished members of the Joint Standing Committee on Transportation, I am Meghan Russo, Director of Government Affairs at MaineDOT. MaineDOT is in opposition to LD 557.

LD 557 proposes to allow all-terrain vehicles (ATV) to operate on any public way where the posted speed limit is 50 miles per hour or less and provided that the ATV is registered and meets specified safety equipment requirements outlined in the bill. In addition, the bill stipulates that the operator of the ATV must be licensed and have valid insurance.

Current law allows for ATV's to operate on a public way in certain instances. This generally is a limited distance and is a segment of roadway used to connect one trailhead to another, or a trailhead to an ATV clubhouse, gas station, restaurant, or lodging. MaineDOT has created guidelines for establishing ATV access routes. These guidelines are critical to ensuring the safety of not only motorists but ATV users.

MaineDOT works with ATV clubs, municipalities, and others who request ATV access on public ways to determine if the requested roadway adheres to current law, what safety concerns might arise for both motorists and ATV users, and to evaluate all other possible routes. These requests are reviewed on a case-by-case basis.

MaineDOT reviews several criteria before issuing or denying a request for an ATV access route. These include sight distance, the presence and width of shoulders, the posted speed and geometrics of the roadway, and the geometrics of the trailhead. In addition, ATVs have low-volume tires which are not ideal for operating on pavement. Traveling at higher speeds on pavement makes an ATV more difficult to handle, which is why the current policy limits the distance in which ATV's can travel on a roadway.

Reviewing each request individually is imperative to ensure that only roadways that meet safety criteria are permitted as an ATV access route. LD 557's proposal to permit ATV access on any roadway with a posted speed limit of 50 miles per hour or less, without taking into account the characteristics of the roadway, will pose a safety risk to motorists and ATV users. It is for this reason MaineDOT is opposed to LD 557 and we urge the committee to vote ought not to pass on the legislation.