



**Department of the Secretary of State  
Bureau of Motor Vehicles**

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**JOINT STANDING COMMITTEE ON TRANSPORTATION  
L.D. 557 "An Act to Allow All-terrain Vehicles to Be Used on a Public Way."**

Testimony of Shenna Bellows, Secretary of State and  
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Senator Nangle, Representative Crafts, and Members of the Joint Standing Committee on Transportation, I am providing testimony in strong opposition of L.D. 557 "An Act to Allow All-terrain Vehicles to Be Used on a Public Way."

The Bureau of Motor Vehicles supports roadway safety by ensuring drivers possess the knowledge, skills and driving history to operate safely and that vehicles meet qualification to be registered and titled.

Historically, Maine has adopted the philosophy that all vehicles designated for use on Maine roadways must meet the Federal Motor Vehicle Safety Standards at the time of manufacture, the United States Environmental Protection Agency's pollutant requirements or the National Highway Traffic and Safety Administration's crash testing standards. This is reflected in current Maine law, 29-A MRSA §101, sub-§47-A, which states that vehicles that do not meet these standards and were not originally manufactured to meet Federal Motor Vehicle Safety Standards are considered "Off-road Vehicles." Currently, off-road vehicles are registered by the Department of Inland Fisheries and Wildlife (IF&W), for off-road use only. This includes ATVs.

Off-road vehicles, including ATVs, are not designed or manufactured with the intent to be driven on public roads. Therefore, these vehicles do not meet the Federal Motor Vehicles Safety Standards or the Environmental Protection Agency (EPA) emission requirements for on-road use.

The American Association of Motor Vehicle Administrators (AAMVA) released best practices guide for motor vehicle administrators in the US and Canada, regarding the regulation of off-road vehicles in June 2021. AAMVA recommends off-road vehicles, including ATV's, be prohibited from being registered, titled, or driven on public roadways. AAMVA further recommends that, regardless of age, or any retrofitting or modifications that have or might be made to a vehicle that was not originally designed constructed or intended for road use, should be prohibited from being driven and registered for on-road use.

This bill proposes to create an exception to Maine's longstanding tradition of adherence to federal standards for vehicle registration purposes for allow all off-road vehicles, including ATVs, to be driven on public ways with a posted speed limit of less than 50 miles per hour. MDOT may adopt rules, or a municipality or county may adopt an ordinance, to restrict or prohibit the operation of an ATV on a

public way, if the department, county or municipality determines that the prohibition or restriction is necessary in the interest of public safety.

Maine's practice of adhering to federal environmental and safety standards to make determinations about what is and is not allowed on Maine roadways is objective and predictable. Embarking on a path of exceptions in Maine statute that may or may not be grounded in highway safety best practices is a dangerous endeavor. In a time in which crashes and motor vehicle-related fatalities are on the rise, we strongly recommend against departures from these standards in terms of what is allowed on the road.

This bill would allow off-road vehicles to be used for construction, logging, or farming purposes, and allow the off-road vehicles to be driven on roads with posted speed limit of 50 mph or less. Current law, Title 29A §501 sub-§8, paragraph E, already allows a special permit to be issued to allow the operation of an ATV on a roadway with restrictions and limitations for agricultural purposes only.

L.D. 557 also would allow off-road vehicles to be used for emergency, military, law enforcement or fire control. This is unnecessary, as Title 29-A, §2092, sub-§3, already allows off-road vehicles owned and operated by government entities to operate these vehicles on public ways or parking areas.

The bill requires the Secretary of State, Bureau of Motor Vehicles (BMV) to register and title ATVs for use on public ways. It also requires the payment of a registration fee required in Title 12 Section 13155, which is currently collected by IF&W. It is not clear if the funds collected by BMV would be transferred to IF&W or to the Highway fund. Therefore, clarification is necessary should this bill move forward.

According to IF&W, there were 74,619 ATVs registered in Maine in 2023-2024.

Should this bill pass, the workload and fiscal note for BMV will be substantial. This bill would require all registration forms and multiple BMV computer systems to be updated, and the municipal computer systems would also need to be updated. The Committee should know that when an update is required to the municipal computer systems, their vendors increase their maintenance fees.

Furthermore, BMV would need to create a new license plate to register ATVs. As you know, there currently is a moratorium on creating new license plates, to allow BMV to implement the new general issuance license plates. The moratorium expires June 30, 2025. While we're unsure how many of the approximately 75,000 ATVs registered through IF&W would be registered for on-road use, having to do any ATV registrations will add transaction processing time in our already extremely busy BMV branch offices. It would also increase title processing time, as the bill would require us to issue titles to these ATVs as well.

It is for these reasons we are respectfully opposing this bill and recommend a unanimous ought not to pass vote from this committee. Thank you for your time today and I will be happy to answer any questions.