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LD 557 An Act to Allow All-terrain Vehicles to Be Used on a Public Way

Good afternoon, Senator Nangle, Representative Crafts and my fellow distinguished members of the Joint Standing Committee on Transportation. As you know, my name is Marianne Moore. I proudly represent Senate District 6 which includes all of Washington County and 16 Communities in Eastern Hancock County as well.

I'm here to introduce LD557 – *An Act to Allow All-Terrain Vehicles to Be Used on a Public Way*

This past year I had several All-Terrain Vehicle (ATV) clubs talk to me about the potential of driving their ATVs on public roads. Every time they approached their local town councils, they were told they couldn't because they were State Roads. They asked me to submit this bill on their behalf to allow ATVs on public roads. As I began to research their request, I found in Statute:

“Title 12: CONSERVATION,
Part 13: INLAND FISHERIES AND WILDLIFE,
Subpart 6: RECREATIONAL VEHICLES,
Chapter 939: ATVS,
§13157-A. Operation of ATVs

6. Operating ATV on public way. Except as provided in this subsection, a person may not operate an ATV, other than an ATV registered with the Secretary of State under Title 29-A, on any portion of a public way maintained or used for the operation of conventional motor vehicles or on the sidewalks of any public way.

A. A properly registered ATV may be operated on a public way only the distance necessary, but in no case to exceed 500 yards, on the extreme right of the traveled way for the purpose of crossing, as directly as possible, a public way, bridge, overpass, underpass, sidewalk or culvert as long as that operation can be made safely and does not interfere with traffic approaching from either direction on the public way.”

The intent of the clubs is to expand their available trail systems, connecting them to other trail systems and gain access to available resources such as gas stations, restaurants, motels, etc. Unfortunately, 500 yards is often not enough. An example in my district would be to connect from the trail in Perry to downtown Eastport which is about 7 miles. While the community of Sipayik (Pleasant Point) is willing to allow ATVs on their trail through the Reservation, without access on the State Road, ATVs have nowhere to go for services. Accessing services would also be a large economic boost to these smaller communities.

Other concerns I've heard from constituents is the numbers of unregistered ATVs and uninsured ATVs transversing these "500 yards" along with our trails. While this bill is only addressing the ATVs who would be driving on the public roads, I strongly feel they should be registered AND insured! Further concerns were the number of folks who have suspended driver's licenses who are also transversing these "500 yards" and our trails thus the inclusion of "a person operating an ATV must possess a valid Class A, Class B or Class C driver's license" requirement.

This bill is very similar to one submitted in the 129th Legislature by Senator Troy Jackson and heard by this Committee. Due to several components of the bill such as requiring the Secretary of State to issue license plates and the requirement of a safety inspection, the bill failed to come out of Committee. I have left these portions out of my bill in hopes of getting it across the finish line this time. 🙏

To summarize: This bill, beginning in 2026, allows the operation of an all-terrain vehicle (ATV), on a public way as long as the ATV is registered and meets specified safety equipment requirements; and the operator is licensed and has insurance. This bill establishes an annual registration fee at the current registration fee, the same as for ATVs under current law. The bill does not affect the operation of ATVs off of public ways on private land or state-approved ATV trails.

This bill prohibits the operation of an ATV on a public way with a posted speed limit of more than 50 miles per hour. I did include the statement that the Department of Transportation may adopt rules, or a municipality or county may adopt an ordinance to restrict or prohibit the operation of an ATV on a way if the department, county or municipality determines the prohibition or restriction is necessary in the interest of public safety. This bill also repeals the section of statute saying off-road vehicles may not be registered.

Thank you!

I would be happy to take any questions you might have regarding this bill! I understand there will be a few folks that will be testifying who are strong supporters of this bill who may also be able to respond to your questions as well!