

**TESTIMONY OF THE
DEPARTMENT OF INLAND FISHERIES AND WILDLIFE
BEFORE THE JOINT STANDING COMMITTEE ON INLAND
FISHERIES AND WILDLIFE**

**IN OPPOSITION TO L.D. 276
“An Act to Modernize ATV Classification, Registration, Trail Access and Landowner
Protections”**

Date: February 25, 2026

Presented by Representative ROBERTS of South Berwick.

Good afternoon, Senator Baldacci, Representative Roberts and members of the Inland Fisheries and Wildlife Committee. I am Timothy Peabody, Deputy Commissioner at the Department of Inland Fisheries and Wildlife, speaking on behalf of the Department, in opposition to L.D. 276 An Act to Modernize ATV Classification, Registration, Trail Access and Landowner Protections.

With the short time our agency has had to review this proposal there have been many discussions with staff at DACF and landowners about the impact and reality of how this might work. We believe there are some positive portions of the bill, but we feel further discussion with outside entities and DACF staff is prudent. We would like to point out some information for your consideration:

ATV recreation in Maine is a \$600 million industry focused primarily in rural Maine and primarily on the good will of private landowners allowing trails on their property. Any risk of losing this industry due to landowners feeling unsupported should not be taken lightly. The loss of current trails on property of several large landowners could potentially create a risk of losing access to up to 30% of the trail network. Trying to compare Maine with other ATV recreation states is not comparable due to the amount of private land we rely on for our trail system.

Over the past six years our agency has been heavily involved in two task force/working groups related to the use of ATV's on private land: the ATV Task Force in 2019 and the Landowner Access Working Group in 2025.

Most recently this Committee heard recommendations from the Landowner Access Working Group related to ATV operation on trails owned by private landowners. The most important proposal from our perspective was to implement a violations bureau, similar to the motor vehicle violations bureau that would more consistently support enforcement of violations related to recreational vehicles. This would provide landowners who allow access to their property assurance that violators will be more likely to be held accountable. This group also suggested more enforcement but passing more laws before a more efficient system is in place does not allow for effective enforcement.

LD 276 proposes a tiered classification system for ATVs and ATV trails with enforcement of just the width vs. enforcement of both width and weight. This would be easier from an enforcement perspective but in many cases, this would allow longer and heavier ATVs that will increase risk of damage to trails and private land. Additionally, this proposal is more liberal in terms of weight in comparison to one of the amendments for LD 19 which increases the maximum weight to 2,950 lbs. As a reminder the 2019 ATV Task Force came up with the current limits to weight and width, this was a compromise position to several landowners but in the end all Task Force representatives agreed to it. If the width stays the same without a weight limit there will be ATVs used on the landscape that weigh up to 3,400 lbs.

The tiered trail system could also put increased use and pressure within areas that allow larger ATVs. It has the possibility of creating more friction between users and landowners when there are trails that don't allow ample connectivity. Traditionally people who register a recreational vehicle have an expectation that they have the same access to trails as any other registrant.

From an administrative perspective LD 276 proposes a registration process using the VIN to determine the appropriate classification. Often the VIN does not quickly give a registration clerk the appropriate information to determine classification. Implementation of the current registration law has been challenging due to the clerk's inability to easily identify an "oversized ATV". The Department feels the LD 276 proposed process will be more complicated and with complexity comes cost and frustration.

In addition to what I have mentioned, if the Committee decides to move forward with this bill there are several technical concerns due to sections that are proposed to be located within snowmobile-related law rather than the ATV section of law, and other clarifications such as the effective date and enforcement of current laws during the interim which we will be prepared to discuss during the work session.

In closing our department certainly recognizes the complexity and challenges of this issue and the wishes and encouragement of everyone to enjoy our state in whatever manner they choose. The fact that Maines' private land base is the foundation we rely on for our outdoor recreation must be treated with the upmost respect. We are committed to continuing to work on this with DACF and others to have a ATV trail system in Maine that is appropriately funded and supports the goodwill of our private landowners.

We will have appropriate staff to answer any questions during the work session

2019 ATV TASK FORCE

Chair	Timothy Peabody	Maine Dept. of Inland Fisheries and Wildlife
Large Forest Landowner / Co-Chair	John Bryant	American Forest Management
Large Forest Landowner	Matt Stedman	Irving Woodlands
Statewide Forest Products Organization	Kyle Burdick	Maine Forest Products Council - Baskehegan Company
Statewide Small Woodlot Organization	Tom Doak	Maine Woodlands Owners
Large Farmland Owner	Jim Sinclair	R.T. Allen & Sons
Statewide Farming Organization	Julie Ann Smith	Maine Farm Bureau
Utility Corridor Owner	Brian Berube	Central Maine Power
Land Trust Organization	David Montague	Downeast Lakes Land Trust
Statewide ATV Organization	Dick Howlett	ATV Maine
Combination ATV/ Snowmobile Club	David Jones	Jackman Border Riders Club
Maine ATV Dealer	Ian Bourgoin	Fort Kent Powersports
Statewide Snowmobile Organization	Bob Meyers	Maine Snowmobile Association
Supervisor, Off-Road Recreational Vehicle Program	Brian Bronson	Maine Dept. of Agriculture, Conservation and Forestry
Corporal - Landowner Relations	David Chabot	MDIFW

2025
PUBLIC ACCESS TO PRIVATE LAND WORKING GROUP

Participants

- Co-Chair Jo D. Saffeir, Deputy Commissioner, Department of Agriculture, Conservation and Forestry (DACF)
- Co-Chair Nate Webb, Wildlife Division Director, Department of Inland Fisheries and Wildlife (DIFW)
- Kaitlyn Bernard, Director of Government Relations, The Nature Conservancy
- James Cote, Executive Director, Maine Professional Guides Association
- Andy Cutko, Director, Bureau of Parks and Lands, DACF
- Tom Doak, Executive Director, Maine Woodland Owners
- Bill Greaves, Executive Director, North Maine Woods
- Dennis Keschl, Board Member, Sportsman's Alliance of Maine
- Corporal Kris MacCabe, Landowner Relations Division, DIFW
- Jeff McCabe, Director, Maine Office of Outdoor Recreation
- Nick McCrum, President, Maine Potato Board
- Matt Polstein, Owner, New England Outdoor Center
- Al Swett, President, Maine Snowmobile Association
- Krysta West, Executive Director, Maine Forest Products Council