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GOVERNOR

STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
OFFICE OF THE COMMISSIONER
22 STATE HOUSE STATION
AUGUSTA, MAINE 04333

AMANDA E. BEAL
COMMISSIONER

April 7, 2021

Senator James Dill
Representative Landry
Inland Fisheries and Wildlife Committee
115 State House Station
Augusta, ME 04333

Senator Dill and Representative Landry:

I am writing on behalf of the Department of Agriculture, Conservation, and Forestry's ATV and Snowmobile Programs to express opposition to LD 944. The Department has several concerns with the proposed legislation.

First, as background, approximately 90 percent of the 16,000+ miles of trails maintained through the state's ATV and Snowmobile programs are on private land. Without these landowners' permission, the trail systems would not exist. Current policy allows an ATV to be registered as a snowmobile, which has created a loophole that allows some ATV operators to ride on lands where they would not otherwise have permission. Many landowners are already concerned that the state is circumventing their wishes by allowing ATVs to be registered as snowmobiles, and they are not in favor of a dual registration process.

Second, very few individuals ride tracked ATVs like snowmobiles on snowmobile trails. We agree with MSA's and ATV Maine's concerns that this type of use can be a hazard on many of the trails because their width may create safety and enforcement issues. Bypassing the landowners' wishes and local snowmobile clubs' concerns is a mistake.

Third, for many individuals dual registering ATVs as snowmobiles is unnecessary because they are using them for ice fishing on lakes with either wheels or tracks. If individuals want to use them in other locations, they can do so without registration as a snowmobile if they obtain landowner permission, as Maine law requires. If they can't obtain landowner permission, they shouldn't be on or crossing those properties.

Fourth, the machines are manufactured as ATVs, and their serial numbers indicate an ATV, not a snowmobile. They are insured as ATVs, not as snowmobiles. Registration of ATVs as snowmobiles potentially adds confusion to the insurance process.

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Lastly, if the bill does move forward, the Committee should be aware that it does not direct the fees to the accounts as currently appropriated in Title 12 §13104 (4), §13155(5), & §10206. Moreover, a separate machine classification will require increased administrative fees, which will inevitably take money away from needed trail maintenance.

Thank you for considering these issues as you deliberate on this legislation. Brian Bronson, ATV Program Supervisor, and Joe Higgins, Snowmobile Program Supervisor, can be available for the bill's work session if the Committee has additional questions.

Sincerely,

A handwritten signature in dark ink, appearing to read "Andy Cutko". The signature is fluid and cursive, with the first name "Andy" and last name "Cutko" clearly distinguishable.

Andy Cutko
Director, Bureau of Parks and Lands