



Testimony of the Maine Municipal Association

In Opposition To

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

March 26, 2025

Sen. Nangle, Rep. Crafts, and distinguished members of the Transportation Committee, my name is Rebecca Graham, and I am submitting testimony in opposition to LD 557 at the direction of MMA's Legislative Policy Committee (LPC). Our LPC is made up of individuals from across Maine with municipal officials elected by their peers across Maine's 35 Senate districts representing communities with very different access to available enforcement resources and local capacity.

Under current law, in Title 12, section 13157-A, municipal officials may designate a public road open to ATV traffic linking between trails or to allow connections to trails from parking areas etc. These must be well marked, and operators must operate to the extreme ride side of the road to give priority for safe passage of motor vehicles, and operators must operate at 20 miles per hour. Communities in many areas of the state have done the work to adopt these trails, where they have public will and local desire for creating them.

However, as drafted in Section 10, §2094 (3), this bill would upturn those careful local conversations, and force all municipalities to do the work to opt out of the operation of ATV's through the adoption of an ordinance that is not required in the current process, to exclude the operation of ATV's including multitrack, multiwheel and amphibious machines on their roadways. This is a mandate because it requires a community that otherwise has no reason to act to be forced to take action through the adoption of a local ordinance to prohibit their use, and only through a narrowly defined public safety reason, and with no limits on type, operation speeds, loud operation and general damage to roadways. Additionally, the change in authority means municipal officials who have already designated set roads in their community as connectors to now go back and adopt an ordinance to maintain the same path. The Association believes that this shift from positive action by municipal officers for allowance to positive action by the legislative body to prohibit ATV operation will require this bill to have the mandate preamble included.

Safety concerns aside, it is important for communities to have a voice in creating and maintaining access to trails. Even when they have been created with community wide desire, unscrupulous operators can often change the tone and attitude for their use in the community. This requires municipalities to pivot to address neighborhood disputes from other vital municipal tasks and is the reason, many communities have not designated public ways for ATV operation.

Officials ask that you respectfully vote ought not to pass on LD 557 and not create more work for communities already struggling to manage local priorities. If this is truly of statewide importance, we ask the legislature to honor their responsibility to fund the obligation that will now be passed to all communities.