



125th MAINE LEGISLATURE

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Legislative Document

No. 1121

H.P. 833

House of Representatives, March 15, 2011

**An Act To Provide for Incentives and Reparations to Landowners in
Connection with All-terrain Vehicle Access**

Reference to the Committee on Inland Fisheries and Wildlife suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Representative McCABE of Skowhegan.
Cosponsored by Senator WHITTEMORE of Somerset and
Representatives: BLACK of Wilton, DILL of Old Town, EBERLE of South Portland,
O'BRIEN of Lincolnville, SHAW of Standish, Senator: SHERMAN of Aroostook.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 12 MRSA §13155, sub-§5**, as amended by PL 2005, c. 12, Pt. III, §43, is
3 further amended to read:

4 **5. Fees.** The annual registration fee for an ATV is ~~\$33~~ \$35 for a resident and ~~\$68~~
5 \$70 for a nonresident. The commissioner shall deposit \$1 from each registration fee
6 collected under this subsection into the ATV Trail Fund established in section 13162 and
7 deposit \$1 from each registration fee collected under this subsection into the ATV
8 Mitigation Fund established in section 13163.

9 **Sec. 2. 12 MRSA §13158-B** is enacted to read:

10 **§13158-B. Disposition of fines**

11 Notwithstanding any other provision of law, a person assessed a fine for a violation
12 of this chapter may elect to have a portion of that fine deposited into the ATV Mitigation
13 Fund established in section 13163.

14 **Sec. 3. 12 MRSA §13162** is enacted to read:

15 **§13162. ATV Trail Fund**

16 **1. Fund established.** The ATV Trail Fund, referred to in this section as "the fund,"
17 is established.

18 **2. Sources of funds.** The fund receives money from appropriations, allocations,
19 bond proceeds and donations and funds derived from section 13155, subsection 5 and
20 Title 36, section 1817.

21 **3. Purpose.** The fund must be used to provide ATV trail planning, clearing and
22 construction assistance to landowners that commit to the creation or improvement of
23 multiuse recreational trails and that allow ATV use on their properties.

24 **4. Administration.** The department shall administer the fund. The department may
25 coordinate with clubs and other organizations that promote cooperation between ATV
26 users and landowners. The expenses of administering the fund must be paid out of
27 proceeds in the fund.

28 **5. Nonlapsing.** Any funds remaining in the fund at the end of a fiscal year do not
29 lapse but carry forward to the next fiscal year. The department may invest proceeds of
30 the fund in an interest-bearing account.

31 **6. Rules.** The department may adopt rules to carry out the purposes of this section.
32 Rules adopted pursuant to this subsection are routine technical rules as defined by Title 5,
33 chapter 375, subchapter 2-A.

34 **Sec. 4. 12 MRSA §13163** is enacted to read:

