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Date: (Filing No. H-)

TRANSPORTATION

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
127TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1063, L.D. 1567, Bill, “An Act To Amend the Laws Regarding the Operation of an All-terrain Vehicle or Snowmobile on a Controlled Access Highway”

Amend the bill in the emergency preamble in the 2nd paragraph in the 2nd line (page 1, line 4 in L.D.) by striking out the following: "rights-of-way" and inserting the following: 'right-of-way limits'

Amend the bill by striking out all of sections 1 and 2 and inserting the following:

'Sec. 1. 12 MRSA §13106-A, sub-§3, ¶A, as enacted by PL 2003, c. 655, Pt. B, §394 and affected by §422, is amended to read:

A. A person may operate a snowmobile upon a controlled access highway or within the right-of-way limits of a controlled access highway in accordance with this paragraph.

(1) A person on a properly registered snowmobile may cross controlled access highways by use of bridges over or roads under those highways, or by use of roads crossing controlled access highways at grade.

(2) The Commissioner of Transportation may issue special permits for designated crossings of controlled access highways.

(3) A person on a properly registered snowmobile may operate the snowmobile within the right-of-way limits of a controlled access highway on a trail segment approved by the Commissioner of Transportation or the board of directors of the Maine Turnpike Authority, as applicable.

At the request of the Commissioner of Agriculture, Conservation and Forestry, the Commissioner of Transportation or the board of directors of the Maine Turnpike Authority, as applicable, may permit construction of a snowmobile trail within the right-of-way limits of a controlled access highway under the jurisdiction of the Department of Transportation or the Maine Turnpike Authority being constructed on or after January 1, 2016 when there is an ability to provide for the continuity of a

COMMITTEE AMENDMENT

1 state-owned or state-controlled network of snowmobile trails. Funds for the
2 construction of a snowmobile trail under this paragraph may not be provided from the
3 Highway Fund.

4 **Sec. 2. 12 MRSA §13157-A, sub-§3, ¶A,** as enacted by PL 2003, c. 655, Pt. B,
5 §414 and affected by §422, is amended to read:

6 A. A person may not operate an ATV upon a controlled access highway or within the
7 right-of-way limits of a controlled access highway, except that:

8 (1) A person on a properly registered ATV may cross controlled access
9 highways by use of bridges over or roads under those highways or by use of
10 roads crossing controlled access highways at grade; ~~and~~

11 (2) The Commissioner of Transportation may issue special permits for
12 designated crossings of controlled access highways; ~~and~~

13 (3) A person on a properly registered ATV may operate the ATV within the
14 right-of-way limits of a controlled access highway on a trail segment approved by
15 the Commissioner of Transportation or the board of directors of the Maine
16 Turnpike Authority, as applicable.

17 At the request of the Commissioner of Agriculture, Conservation and Forestry, the
18 Commissioner of Transportation or the board of directors of the Maine Turnpike
19 Authority, as applicable, may permit construction of an ATV trail within the
20 right-of-way limits of a controlled access highway under the jurisdiction of the
21 Department of Transportation or the Maine Turnpike Authority being constructed on
22 or after January 1, 2016 when there is an ability to provide for the continuity of a
23 state-owned or state-controlled network of ATV trails. Funds for the construction of
24 an ATV trail under this paragraph may not be provided from the Highway Fund.'

25 **SUMMARY**

26 This amendment clarifies that the Department of Transportation or the board of
27 directors of the Maine Turnpike Authority, whichever has jurisdiction, may approve trail
28 segments and permit the construction of all-terrain vehicle and snowmobile trails within
29 the right-of-way limits of controlled access highways being constructed on or after
30 January 1, 2016.

31 The amendment prohibits funding the construction of those all-terrain vehicle and
32 snowmobile trails from the Highway Fund.