S U M M A R Y O F

ATV & SNOWMOBILE

LAWS

MAINE 2016-17

MAINE DEPARTMENT OF INLAND FISHERIES & WILDLIFE

Information contained within this publication is subject to change after printing and may not be valid after November 2017. For the most up to date information please visit our website at mefishwildlife.com.

KNOW YOUR TRAIL MARKERS

Maine has an amazing network of trails making it possible for ATV and snowmobile riders to explore thousands of miles across the state. Access to these trails is made possible thanks in part to many generous private landowners.

To ensure access to these trails remains open for recreational use, please respect landowners and stay on the marked trails!

Indicates trail is OPEN to ATV use.
These markers may also include additional information about the trail.

Indicates trail is CLOSED to ATV use.

Indicates trail is OPEN to snowmobile use.
These markers may also include additional information about the trail.

Indicates that trail is CLOSED to snowmobile use.

Indicates trail is CLOSED to motorcycles.

Note: *Interconnected Trail System (ITS) trails are not always open to ATV use. ITS trails that are open to ATV use will be posted with ATV trail markers.*

SUMMARY OF ATV & SNOWMOBILE LAWS

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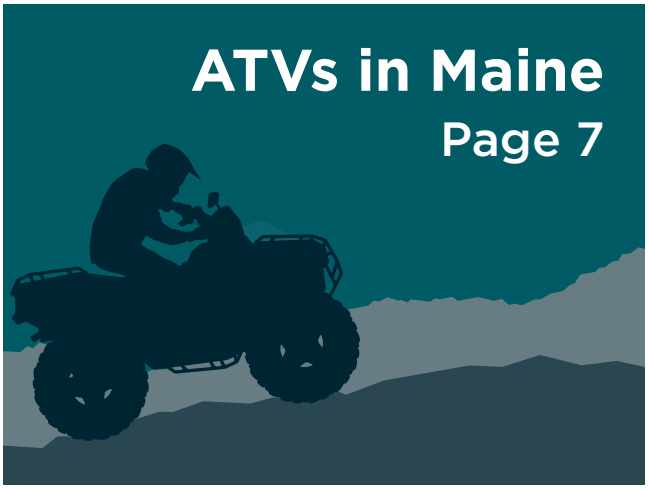
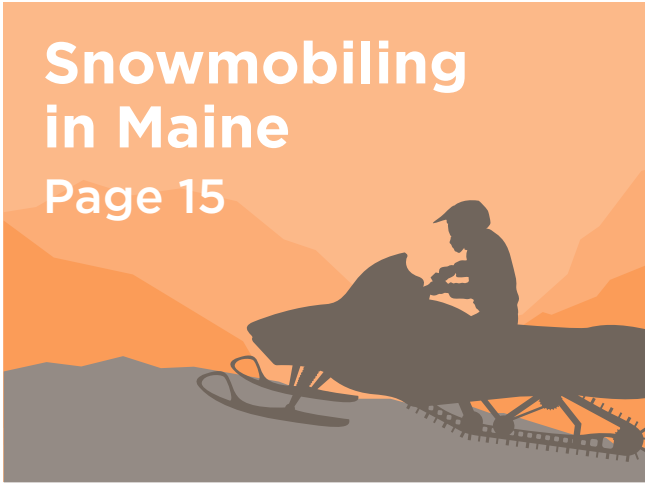




Please Note

Information contained within this publication is subject to change after printing. For the most up to date information please visit our website at mefishwildlife.com.

The language contained within this book is a summary. For full language please refer to title 12 and MDIFW rules, which can be located here:

Title 12
mainelegislature.org/legis/statutes/12/title12.pdf

MDIFW Rules
maine.gov/sos/cec/rules/09/chaps09.htm

ATV & Snowmobile Trail Maps

For up-to-date ATV trail maps, visit **www.parksandlands.com.**

For up-to-date Snowmobile trail maps, visit **www.mesnow.com/Map.html.**

ATV & Snowmobile Safety

Taking a ride on an ATV, UTV or snowmobile is a great way to be active and enjoy the beautiful Maine outdoors. Following safety precautions, rules and common sense are necessary ways to ensure your ride on one of these machines is as safe as it is fun.

ATVs and UTVs are intended for off-road use and may be difficult to control on pavement and other surfaces. Different ATV models handle differently so it's important to familiarize yourself with each machine you ride by reading the owner's manual and following the safety, maintenance and operational guidelines.

Because ATVs can cause serious injuries if used improperly, riders should also know their own abilities and limitations and never overdrive their machine just to keep up with others or impress someone.

If you have a youngster who is about to ride an ATV, there are special considerations that you should keep in mind. Although a child may be the recommended age to ride a particular size ATV, not all youngsters have the strength, skills, or judgment needed to operate an ATV. You should supervise your youngster's operation of the ATV at all times, and should permit continued use only if you determine that your youngster has the ability and judgment to operate the ATV safely. You should also read Parents, Youngsters and ATVs, available from ASI.

For more information about ATV Safety, call the Consumer Product Safety Commission at 1-800-638-2772 or the ATV Distributors' Safety Hotline at 1-800-852-5344.

DON'T FORGET TO SUPPORT YOUR LOCAL SNOWMOBILE AND ATV CLUBS!

Remember that riders under 16 years of age should be supervised by an adult. In addition, follow the ATV Model Size/Minimum Age information listed below. Do not ride an ATV that is not recommended for your age group.

ATV MODEL SIZE	MINIMUM AGE
Under 70cc	6 years and older
70 – 90cc	12 years and older
Over 90cc	16 years and older

Be Cautious...ATVs are not toys. Serious injury can result from improper use of ATVs, but with preparation and practice, you can safely develop and expand your riding skills. Riding ATVs can be an enjoyable form of outdoor recreation when done properly.

In addition to the information provided in this booklet, it is important to carefully read and follow the instructions and warnings contained in the ATV owner's manual and labels. ATVs handle differently from other vehicles, such as motorcycles and cars. Proper instruction and practice are important.

Having a pre-ride safety checklist is a good idea for all riders and includes checking the mechanical condition of the machine and making sure you have spare parts, survival items and personal items needed for safety and comfort.

Riders should also leave a trip plan with someone else that lists their destination, travel times, contact information and anything else that could aid in finding a rider who gets lost or injured.

When it comes to snowmobiling, the safest rule is to never cross lakes or rivers, since doing so puts you at risk of plunging through the ice. If you decide to snowmobile on ice, make sure the ice is safely frozen and only trust your own judgment.

Drowning is a leading cause of snowmobile fatalities so buying a buoyant snowmobile suit could be a life-saving decision. If you do go through the ice, your helmet and snowmobile suit, even if it's non-buoyant, may keep you afloat for several minutes. Try sliding back onto the ice, using anything sharp to dig in for pull. Kicking your feet like a seal can help propel you onto the ice.

If the ice keeps breaking, continue moving toward the shore or the direction from which you came. Don't remove your gloves or mitts. Once on the ice, you should roll away from the hole, making sure not to stand up until you are well away from it.

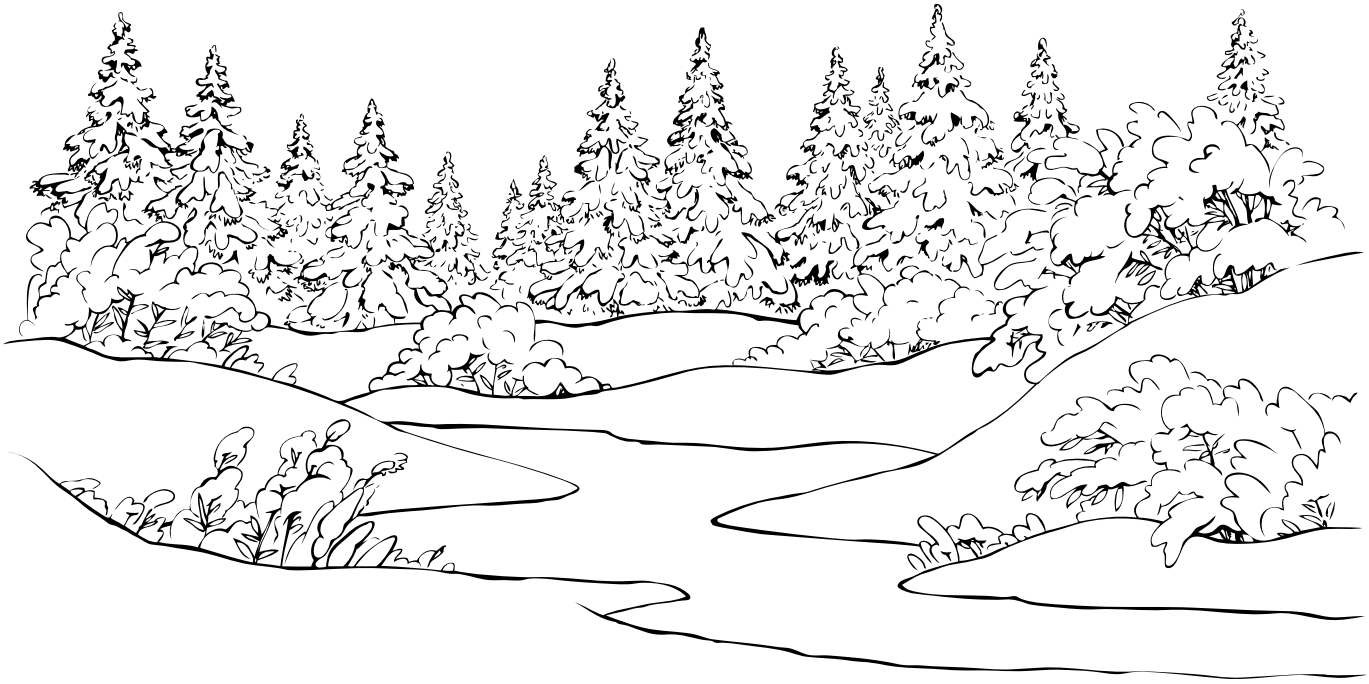
RECREATIONAL SAFETY DIVISION

Do you need to take a safety course to operate an ATV?

Maine law requires a person 10 years of age or older but under 16 years of age to successfully complete a training program, with that person's parent or guardian prior to operating on land other than that owned or leased by their parent or guardian or on which they live. These courses are made available in your area by volunteer instructors certified by the Maine Department of Inland Fisheries and Wildlife. Pre-registration is requested and/or required. Courses will include 6 hours of instruction. Sponsors include school districts, sports clubs, civic groups, and others. Courses will be scheduled based on instructor availability.

8 Federal Street
Augusta, Maine 04330
(207) 287-5220

Mailing Address:
41 State House Station,
Augusta, ME 04333-0041



ICE THICKNESS

In the wintertime, outdoor enthusiasts frequently need to know how thick the ice is and whether it is safe to walk across it. The American Pulpwood Association has published a handy reference chart that gives a good rule-of-thumb for pond and lake ice thickness.

This table is for clear, blue ice on lakes. Reduce the strength values by 15% for clear blue river ice. Slush ice is only one-half the strength of blue ice. This table does not apply for parked loads.

Snowmobile operators should also always know the area they ride in, ride at safe speeds, signal their riding intentions, watch for other snowmobilers and never operate under the influence of drugs or alcohol.

Always remember: ATVs, UTVs and snowmobiles are not toys, so taking these precautions can mean the difference between an enjoyable time and a dangerous one.

ICE THICKNESS *in inches*	PERMISSIBLE LOAD ON CLEAR, BLUE LAKE ICE *reduce strength values for other types of ice*
2"	One person on foot
3"	Group of people (walking single file)
7½"	Passenger Car (2 ton gross)
8"	Light Truck (2½ ton gross)
10"	Medium Truck (3½ ton gross)
12"	Heavy Truck (7–8 ton gross)
15"	Heavy Truck (10 ton gross)
20"	25 tons
25"	45 tons
30"	70 tons
36"	110 tons

WHAT WE DO WHEN NO ONE IS WATCHING

The Maine Department of Inland Fisheries and Wildlife encourages all land users to voluntarily seek permission whenever possible. In turn, the Outdoor Partners landowner relations program would ask all landowners to consider using the courtesy card system.

Land user's respect for the property rights of the landowner will lead to positive and cooperative relations—and a positive, productive experience. It's not only a courtesy — it's the right thing to do.

For more information call the Landowner Relations Coordinator, Rick LaFlamme, at (207) 287-5240 or visit **mefishwildlife.com.** ■

OPERATING UNDER THE INFLUENCE

Prohibition. Prohibitions against operating under the influence are as follows:

A person may not operate or attempt to operate a recreational vehicle:

- While under the influence of intoxicating liquor or drugs or a combination of liquor and drugs;
- If 21 years of age or older, while having 0.08% or more by weight of alcohol in that person's blood; or
- If less than 21 years of age, while having any amount of alcohol in the blood.

Penalties. A person who violates this section commits a Class D crime. In determining an appropriate sentence, refusal to submit to a chemical test must in every case be an aggravating factor. In the following cases the following minimum penalties apply.

A. In the case of a person having no previous convictions of a violation of subsection 1-A within the previous 6-year period, the fine may not be less than $400. If that person was adjudicated within the previous 6-year period for failure to comply with the duty to submit to and complete a blood-alcohol test under section 10702, subsection 1, the fine may not be less than $500. A conviction under this paragraph must include a period of incarceration of not less than 48 hours, none of which may be suspended, when the person:

- Was tested as having a blood-alcohol level of 0.15% or more;
- Failed or refused to stop upon request or signal of an officer in uniform, pursuant to section 6953 or 10651, during the operation that resulted in prosecution for operating under the influence or with a blood-alcohol level of 0.08% or more; or
- Failed to submit to a chemical test to determine that person's blood-alcohol level or drug concentration, requested by a law enforcement officer on the occasion that resulted in the conviction.

Administering chemical tests; test results; evidence; reporting; immunity blood or breath test. If the law enforcement officer has probable cause to believe a person hunted wild animals or wild birds or operated or attempted to operate a watercraft, snowmobile, or ATV while under the influence of intoxicating liquor, then the officer shall inform the person that a breath test will be administered, unless, in the determination of the officer, it is unreasonable for a breath test to be administered, in which case a blood test must be administered. When a blood test is required, the test may be administered by a physician of the accused's choice, at the request of the accused and if reasonably available. The law enforcement officer may determine which type of breath test, as described in subsection 5 will be administered. For more detailed information see Title 12, chapter 911, subsection 10703.

LAWS & RULES
Liability

Title 12 MRSA, §10001

Definitions

"Guide" means a person who receives any form of remuneration for that person's services in accompanying or assisting a person in the fields or forests or on waters or ice within the jurisdiction of the State while hunting, fishing, trapping, boating, snowmobiling, using an all-terrain vehicle or camping at a primitive camping area.

Title 14 MRSA, §159-A

Limited liability for recreational of harvesting activities

1. Definitions.

A. "Premises" shall mean improved and unimproved lands, private ways, roads, any buildings or structures on those lands and waters standing on, flowing through or adjacent to those lands. "Premises" includes railroad property, railroad rights-of-way and utility corridors to which public access is permitted.

B. "Recreational or harvesting activities" means recreational activities conducted out-of-doors, including, but not limited to, hunting, fishing, trapping, camping, environmental education and research, hiking, rock climbing, ice climbing, bouldering, rappelling, recreational caving, sight-seeing, operating snow-traveling and all-terrain vehicles, skiing, hang-gliding, noncommercial aviation activities, dog sledding, equine activities, boating, sailing, canoeing, rafting, biking, picnicking, swimming or activities involving the harvesting or gathering of forest, field or marine products. It includes entry of, volunteer maintenance and improvement of, use of and passage over premises in order to pursue these activities. "Recreational or harvesting activities" does not include commercial agricultural or timber harvesting.

C. "Occupant" includes, but is not limited to, an individual, corporation, partnership, association or other legal entity that constructs or maintains trails or other improvements for public recreational use.

2. Limited Duty. An owner, lessee, manager, holder of an easement or occupant of premises does not have a duty of care to keep the premises safe for entry or use by others for recreational or harvesting activities or to give warning of any hazardous condition, use, structure or activity on these premises to persons entering for those purposes. This subsection applies regardless of whether the owner, lessee, manager, holder of an easement or occupant has given permission to another to pursue recreational or harvesting activities on the premises.

3. Permissive Use. An owner, lessee manager, holder of an easement or occupant who gives permission to another to pursue recreational or harvesting activities on the premises shall not thereby:

A. Extend any assurance that the premises are safe for those purposes;

B. Make the person to whom permission is granted an invitee or licensee to whom a duty of care is owed; or

C. Assume responsibility or incur liability for any injury to person or property caused by any act of persons to whom the permission is granted even if that injury occurs on property of another person.

4. Limitations on section. This section shall not limit the liability which would otherwise exist:

A. For a willful or malicious failure to guard or to warn against a dangerous condition, use, structure or activity;

B. For an injury suffered in any case where permission to pursue any recreational or harvesting activities was granted for a consideration other than the consideration, if any, paid to the following:

(1) The landowner or the landowner's agent by the State; or

(2) The landowner or the landowner's agent for use of the premises on which the injury was suffered, as long as the premises are not used primarily for commercial recreational purposes and as long as the user has not been granted the exclusive right to make use of the premises for recreational activities; or

C. For an injury caused, by acts of persons to whom permission to pursue any recreational or harvesting activities was granted, to other persons to whom the person granting permission, or the owner, lessee, manager, holder of an easement or occupant of the premises, owed a duty to keep the premises safe or to warn of danger.

5. No duty created. Nothing in this section creates a duty of care or ground of liability for injury to a person or property.

6. Costs and fees. The court shall award any direct legal costs, including reasonable attorney's fees, to an owner, lessee, manager, holder of an easement or occupant who is found not to be liable for injury to a person or property pursuant to this section.

Title 14 MRSA, §7551-B

Trespass damages

Any person who intentionally enters the land of another without permission and causes damage to property is liable to the owner in a civil action if the person: damages or throws down any fence, bar or gate; leaves a gate open; breaks glass; damages any road, drainage ditch, culvert, bridge, sign or paint marking; or does other damage to any structure on property not that person's own or throws, drops, deposits, discards, dumps or otherwise disposes of litter, as defined in Title 17, section 2263, subsection 2, in any manner or amount, on property that is not that person's own.

If the damage is intentional the person doing the damage is liable to the owner for 2 times the actual damage plus additional costs which includes the attorney fees of the landowner, costs and the value of the owner's time spent on involvement in an enforcement proceeding; if the damage is not caused intentionally, the person is liable to the owner for the actual damages plus the costs described above.

For damage to property under this section the owner's damages may be measured either by the replacement value of the damaged property or by the cost of repairing the damaged property. For damages for disposing of litter, the owner's damages include the direct costs associated with properly disposing of the litter, including obtaining permits, and the costs associated with any site remediation work undertaken as a result of the litter.

Title 14 MRSA, §7552

Injury to land, forest products or agricultural products

Without permission of the owner, a person may not cut down, damage, destroy or carry away any forest product, ornamental or fruit tree, agricultural products, stones, gravel, ore, goods or property of any kind from land not that persons own.

Title 17 MRSA, §2510

Unlawful cutting of trees

It is unlawful for any person to intentionally, knowingly, recklessly or negligently cut down or fell any tree without the consent of the owner of the property on which the tree stands. Department of Transportation, Public Utilities and municipal employees are exempt when working official capacity.

Title 17-A MRSA, §402

Criminal trespass

Property is posted if it is marked with signs or paint in one of the following ways and in a manner that is reasonably likely to come to the attention of an intruder:

- Signs must indicate that access is prohibited, that access is prohibited without permission of the landowner or landowner's agent, or that access for a particular activity is prohibited.
- One vertical "OSHA Safety Purple" stripe at least one inch in width and at least 8 inches in length means "Access by Permission Only" when it is placed on trees, posts or stones between three and five feet off the ground.

  These signs or paint stripes must mark the property at distances no more than 100 feet apart at locations that are readily visible to any person approaching the property, and at all vehicular access entries from a public road.
- In addition, landowners may also, either verbally or in writing, personally communicate to others that access is prohibited.

Remember, it is unlawful to remove, mutilate, deface or destroy a sign or paint mark that is placed in order to prohibit or restrict access; and it is unlawful to post the land of another without permission of the landowner.

The owner of a recreational vehicle, the person who gives or furnishes that recreational vehicle to a person under 18 years of age and the parent or guardian responsible for the care of that minor are jointly and severally liable with the minor for any damages caused in the operation of the recreational vehicle by that minor.

These portions of the revised statutes are summarized. For full text refer to the Maine Revised Statutes. ■

LAWS & RULES
Accident Information

ACCIDENTS INVOLVING PERSONAL INJURY OR DEATH

1. **Law enforcement officer notification.** The operator of a recreational vehicle involved in an accident that results in personal injury or death of a person shall immediately report the accident, by the quickest means of communication, to the available law enforcement officer nearest to the place where the accident occurred.

   The owner of a recreational vehicle who knows that the recreational vehicle was involved in an accident as described in this subsection shall report the accident as provided in this subsection if the operator of the recreational vehicle is unknown.

2. **Provide information to injured party.** The operator or a person acting on behalf of the operator of a recreational vehicle involved in an accident shall provide to an injured person or the operator or an occupant of any other recreational vehicle involved in the accident:

   A. The operator's name and address; and

   B. The registration number of the operator's recreational vehicle.

3. **Render assistance.** The operator of a recreational vehicle involved in an accident shall render reasonable assistance to an injured person.

4. **Penalties.** A person who violates this section commits a Class E crime.

5. **Aggravated punishment category.** Notwithstanding subsection 4, a person who intentionally, knowingly, or recklessly fails to comply with this section when the accident resulted in serious bodily injury, as defined in Title 17-A, section 2, subsection 23, or death, commits a Class C crime.

ACCIDENT REPORTS

1. **Report requirements.** A person shall give notice of a recreational vehicle accident within 72 hours to the commissioner on forms provided by the commissioner if the person is:

   A. The operator of a recreational vehicle involved in an accident that does not result in injuries requiring the services of a physician or in the death of a person but involves property damage estimated to cost $1,000 or more;

   B. A person acting for the operator of a recreational vehicle described in paragraph A; or

   C. The owner of a recreational vehicle described in paragraph A having knowledge of the accident, if the operator of the recreational vehicle is unknown. ■

ATVs in Maine

ALL-TERRAIN VEHICLES (ATV) REGISTRATION FEES & AGE REQUIREMENTS

RESIDENTS	NONRESIDENTS
$33* *Prior to registration, sales or use taxes are due.*	Season: $68* 7-Day: $53*

AGE REQUIREMENTS**

A person under 10 years of age may not operate an ATV.

A person 10 years of age or older but under 16 years of age may not operate an ATV unless that person has successfully completed a training course approved by the department and is accompanied by an adult.

A person under 16 years of age may not cross a public way maintained for travel unless the crossing is in accordance with section 13157-A, subsection 6, paragraph A (page 11) and the person satisfies the requirements of 13154-A, subsection 3 (page 9).

The season registration for an ATV is valid for one year, commencing on July 1st of each year.

**Plus agent fee.*

***This does not apply to the operation of an ATV on a) Land on which the operator is domiciled; b) Land owned or leased by the operator's parent or guardian; or c) A safety training site approved by the department.*

DEFINITIONS

RESIDENT means a citizen of the United States or an alien who has been domiciled in the state for one year who:

- If registered to vote, is registered in this state.
- If licensed to drive a motor vehicle, has made application for or possesses a motor vehicle operator's license issued by the state.
- If owning a motor vehicle located within the state, has registered each such vehicle in the state.
- Is in compliance with the state income tax laws.
- Is a full-time student at a Maine college or university who satisfies above requirements.

NONRESIDENT means a citizen of the United States who does not fall within the definition of alien or resident.

ALIEN means a person who is not a citizen of the United States.

LAWS & RULES
All-Terrain Vehicle (ATV)

Title 12, Chapter 933

§13001 – Definitions

As used in this subpart, unless the context otherwise indicates, the following terms have the following meanings.

Accompanied by adult. "Accompanied by an adult" means, with respect to operation of an ATV, within visual and voice contact and under the effective control of a child's parent or guardian or another person 21 years of age or older.

All-terrain vehicle or ATV. "All-terrain vehicle" or "ATV" means a motor- driven, off-road, recreational vehicle capable of cross-country travel on land, snow, ice, marsh, swampland or other natural terrain. "All-terrain vehicle" or "ATV" includes, but is not limited to, a multitrack, multiwheel or low-pressure tire vehicle; a motorcycle or related 2-wheel, 3-wheel or belt-driven vehicle; an amphibious machine; or other means of transportation deriving motive power from a source other than muscle or wind. For purposes of this subpart, "all-terrain vehicle" or "ATV" does not include an automobile as defined in Title 29-A, section 101, subsection 7; an electric personal assistive mobility device as defined in Title 29-A, section 101, subsection 22-A; a truck as defined in Title 29-A, section 101, subsection 88; a snowmobile; an airmobile; a construction or logging vehicle used in performance of its common functions; a farm vehicle used for farming purposes; or a vehicle used exclusively for emergency, military, law enforcement or fire control purposes.

Alpine tundra. "Alpine tundra" means high elevation, treeless areas beyond the timberline that are dominated by low herbaceous or shrubby vegetation and, specifically, areas that are designated as alpine tundra by the Department of Agriculture, Conservation and Forestry by rule pursuant to Title 5, chapter 375, subchapter 2.

Dwelling. "Dwelling" means any building used as a permanent residence or place of domicile.

Freshwater marshes and bogs. "Freshwater marshes and bogs" means naturally occurring open areas with saturated soils or peat, often associated with standing water and dominated by low herbaceous vegetation, grasses, weeds and shrubs and including wetlands, as shown on the Freshwater Wetlands Map Series, Division of Geology, Natural Areas and Coastal Resources, Maine Geological Survey, or zoned as a Wetland Protection Subdistrict, P-WL, by the Maine Land Use Planning Commission.

Operate. "To operate," in all its moods and tenses, when it refers to an ATV, means to use an ATV in any manner within the jurisdiction of the State, whether or not the vehicle is moving.

Operator. "Operator" means the person who is in control or in charge of an ATV while it is in use.

Owner. "Owner" means: For the purposes of registration of an ATV, a person holding title to an ATV.

Private Way. "Private Way" means a private road, driveway, or public easement. "Public easement" means an easement held by a municipality for purposes of public access to land or water not otherwise connected to a public way, and includes all rights enjoyed by the public with respect to private ways dedicated to the public.

Protective headgear. "Protective headgear" means a helmet that conforms with minimum standards of construction and performance as prescribed by the American National Standards Institute specification Z90.1 or by the Federal Motor Vehicle Safety Standard No. 218.

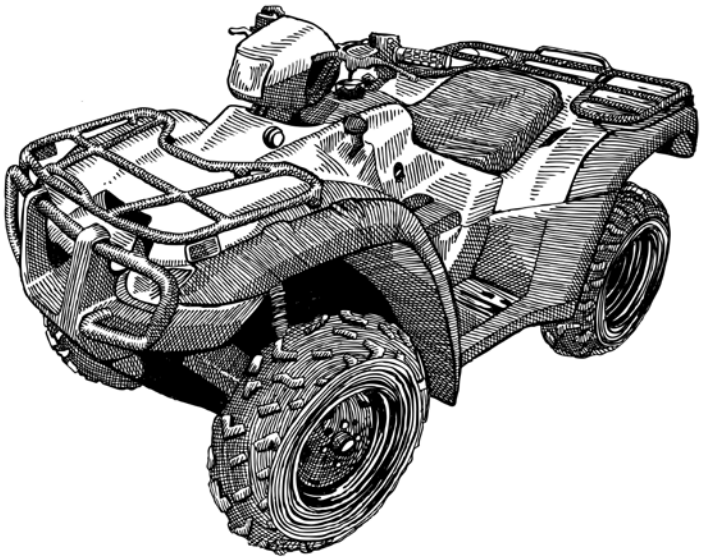
Public Way. "Public Way" means any road capable of carrying motor vehicles, including, but not limited to, any state highway, municipal road, county road, unincorporated territory road, or other road dedicated to the public.

§13002 – Collection by Commissioner

The commissioner or agents of the commissioner shall act on behalf of the State Tax Assessor to collect the use tax due under Title 36, chapters 211 to 225 in respect to any ATV for which an original registration is required under this Title at the time and place of registration of that ATV.

All taxes collected pursuant to this section must be transmitted forthwith to the Treasurer of State and credited to the General Fund as undedicated revenue. The Legislature shall appropriate to the department in each fiscal year an amount equal to the administrative costs incurred by the department in collecting revenue under this section. Those administrative costs must be verified by the Department of Administrative and Financial Services.

For purposes of this section, "original registration" means any registration other than a renewal of registration by the same owner.



§13003 – Payment of sales or use tax prerequisite to registration

2. **Registration of ATV.** Prior to registering an ATV, an agent of the commissioner shall collect sales or use tax due. Sales or use tax is due unless:
   A. The person registering the ATV is not a resident of this State;
   B. The registration is a renewal registration by the same owner;
   C. The applicant possesses a dealer's certificate showing that the sales tax was collected by the dealer. The State Tax Assessor shall prescribe the form of a dealer's certificate.
   D. The ATV is otherwise exempt from sales or use tax under Title 36, section 1760.

§13004 – Collection by State Tax Assessor

This section and sections 13002, 13003 and 13005 must be construed as cumulative of other methods prescribed in Title 36 for the collection of the sales or use tax. These sections do not preclude the State Tax Assessor's collecting the tax due in respect to any watercraft, ATV or snowmobile in accordance with such other methods as are prescribed in Title 36 for the collection of the sales or use tax.

§13005 – Certificates to be forwarded to State Tax Assessor

An agent of the commissioner shall promptly forward all certificates submitted in accordance with section 13003 to the commissioner. The commissioner shall transmit all such certificates to the State Tax Assessor.

§13006 – Impoundment of ATVs

When a law enforcement officer issues a summons for a violation under chapter 939, the officer may impound the ATV operated by the person who receives the summons if, in the judgment of the officer, based on actual previous offenses by the operator or other considerations, the operator will continue to operate the ATV in violation of chapter 939 and that operation may be a hazard to the safety of persons or property.

The operator or owner of an ATV impounded under this section may reclaim the ATV at any time subsequent to 24 hours after the issuance of the summons upon payment of the costs of impoundment to the enforcement agency impounding the ATV.

§13107 – Unlawfully operating vehicle on snowmobile trail

A person may not operate any 4-wheel drive vehicle, dune buggy, all-terrain vehicle, motorcycle, or any other motor vehicle, other than a snowmobile and appurtenant equipment, on snowmobile trails that are financed in whole or in part with funds from the Snowmobile Trail Fund, unless that use has been authorized by the landowner or the landowner's agent, or unless the use is necessitated by an emergency involving safety or persons or property.

Exception: An ATV with tracks, registered as a snowmobile, may be operated on snowmobile trails.

Title 12, Chapter 939

§13152 – License and training

1. **License.** An operator's license is not required for the operation of an ATV, except as required by Title 29-A.
2. **Training.** A person 10 years of age or older but under 16 years of age must successfully complete a training program, with that person's parent or guardian approved by the department prior to operating an ATV except on:
   A. Land on which that person is domiciled;
   B. Land owned or leased by that person's parent or guardian; or
   C. A safety training site approved by the department.

A person under 16 years of age must attend the training program with that person's parent or guardian. The training program must include instruction on the safe operation of ATV's the laws pertaining to ATVs, the effect of ATV's on the environment and ways to minimize that effect, courtesy to landowners and other recreationists and landowners and other materials as determined by the department.

§13153 – Rule violations; ATVs

The following penalties apply to violations of rules regulating ATVs.

1. **Civil.** Notwithstanding section 10650, a person who violates a rule regulating ATVs commits a civil violation for which a fine of not less than $100 nor more than $500 may be adjudged.
2. **Criminal.** A person who violates a rule regulating ATVs after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

§13154-A – Age restrictions

1. **Minimum age.** Except as provided in subsection 5, a person under 10 years of age may not operate an ATV.
2. **Permitting child under 10 years of age to operate ATV.** Except as provided in subsection 6, a person may not permit a child under 10 years of age to operate an ATV.
3. **Unlawfully operating ATV by person ages 10 to under 16.** Except as provided in subsection 6, a person 10 years of age or older but under 16 years of age may not operate an ATV unless that person has successfully completed a training course approved by the department pursuant to section 13152 and is accompanied by an adult. Proof of having completed a training course must be presented for inspection upon request of a law enforcement officer.
4. **Person under 16 years of age crossing public way.** A person under 16 years of age may not cross a public way maintained for travel unless the crossing is in accordance with section 13157-A, subsection 6, paragraph A and the person satisfies the requirements of subsection 3.
5. **Permitting an unaccompanied person under 16 years of age to operate an ATV.** Except as provided in subsection 6, a person may not permit an unaccompanied person 10 years of age or older but under 16 years of age to operate an ATV.
6. **Exceptions for certain property.** This section does not apply to the operation of an ATV on:
   A. The land on which the operator is domiciled;
   B. Land owned or leased by the operator's parent or guardian; or
   C. A safety training site approved by the department.

§13155 – Registration

1-A. Operating unregistered ATV. Except as provided in paragraph A, a person may not operate an ATV that is not registered in accordance with subsection 3.

A. The following exceptions apply.

(1) Registration is not required for an ATV operated on land on which the owner lives or on land on which the owner is domiciled, as long as the ATV is not operated elsewhere within the jurisdiction of the State.

(2) Registration is not required for an ATV operated by a commercial ski area for the purpose of packing snow or for rescue operations on the commercial ski area, unless the ATV is required to cross a public way during that operation.

(3) An ATV owned and operated in the State by the Federal Government, the State or a political subdivision of the State is exempt from registration fees but must be registered and is required to display registration numbers.

(4) An ATV registration for the farm use specified in Title 29-A, section 501, subsection 8, paragraph E is not required for a vehicle registered with the Secretary of State under Title 29-A, section 501, subsection 8.

(5) An ATV registered in another state or in a Canadian province may be operated without being registered pursuant to this section at a special event organized to occur in this State if the special event organizer submits a request in writing to the commissioner 60 days prior to the special event and provides the commissioner with a map of the trails to be used during the special event and the commissioner approves the request.

(6) An ATV owned or under the control of an ATV manufacturer may be operated without a Maine registration at a demonstration event organized to occur in this State if such operation is approved by the commissioner. An ATV manufacturer or a representative of an ATV manufacturer must submit a request in writing to the commissioner at least 60 days prior to the demonstration event and shall include a description and the location of the event.

2. Reciprocity. Reciprocity was repealed in 2004 so there are no longer reciprocal privileges for ATV registrations. A Maine ATV registration is required for nonresidents to operate an ATV in the State of Maine.

3. Application and issuance. The commissioner, or an agent designated by the commissioner, may register and assign a registration number to an ATV upon application and payment of an annual fee by the owner. The commissioner shall charge a fee of $1 in addition to the annual fee for each registration issued by an employee of the department. The registration number in the form of stickers issued by the commissioner must be clearly displayed on the front and rear of the vehicle. A registration is valid for one year commencing July 1st of each year, except that any registration issued prior to July 1st but after May 1st is valid from the date of issuance until June 30th of the following year

4. Form of registration. An ATV registration must be in such form as the commissioner may determine.

5. Fees. See page 7

6. Duplicate registration certificate. The holder of a registration certificate issued under this section may obtain a duplicate registration from the commissioner upon application and payment of a duplicate fee of $1. If a sticker has been misplaced, a new sticker and a new registration matching the new sticker number must be obtained at a fee of $1 each. Agent fee also applies to all duplicates.

7. Transfer of ownership, discontinuance of use. A transfer of ownership or discontinuance of use of an all-terrain vehicle is subject to this subsection.

A. Whoever transfers the ownership or discontinues the use of a registered all-terrain vehicle shall, within 10 days, properly sign the registration, indicate the disposition of the all-terrain vehicle and return the registration to the commissioner.

B. An all-terrain vehicle owner who transfers ownership or discontinues its use may, within 10 days from the date of transfer or discontinuance, apply to the commissioner for registration of another all-terrain vehicle. The fee for the transfer is $4, and the registration is valid for the remainder of the registration year for which the previous all-terrain vehicle had been registered.

C. When there is a change of ownership of an all-terrain vehicle for which a registration has previously been issued, the new owner shall apply for a new registration and shall pay the applicable fee under subsection 5.

8-A. Registration inspection. An owner or operator of an ATV shall present a registration certificate or an online registration receipt for inspection by any law enforcement officer on demand.

8-B. Notification of destroyed, abandoned, stolen, or permanently removed ATV. The registrant shall notify the commissioner if an ATV is destroyed, abandoned, stolen, or permanently removed from the State.

9. Display of registration numbers. Each new ATV sold in the State must have a space 6 inches in width by 3½ inches in height provided on the front and rear of the machine, as high above the tires as possible, for the vertical display of the registration numbers. A person may not operate an ATV that is required to be registered under this section unless registration numbers in the form of stickers are displayed in these spaces or as otherwise required by the department. A person may operate an ATV registered online without displaying a registration number until that person receives the registration certificate from the department or for 30 days after registering the ATV online, whichever occurs first.

10. Training and education. The department shall provide training and education relating to ATVs.

11. Members of the U.S. Armed Forces permanently stationed in the State of Maine. The following persons are eligible to register any ATV owned by them at the resident fee:

A. Any person serving in the Armed Forces of the United States who is permanently stationed at a military or naval post, station or base in the State; and

B. The spouse and children of the person described in paragraph A, provided that the spouse and children permanently reside with that person.

A member of the armed forces described in paragraph A who desires to register an ATV shall present certification from the commander of the post, station or base, or from the commander's designated agent, that the member is permanently stationed at that post, station or base. Registration

fees for registrations pursuant to this subsection must be allocated as if the person registering the ATV was a resident of the municipality in which the post, station or base is situated.

§13157-A – Operation of ATVs

1-A. Permission required. A person may not operate an ATV on the land of another without the permission of the landowner or lessee. Permission is presumed on designated state approved ATV trails or in areas open to ATVs by landowner policy. A landowner may limit the use of a designated state-approved ATV trail on that landowner's property through agreements with the State or an ATV club to address environmental, public safety or management concerns. Written permission of the landowner or lessee is required on cropland or pastureland or in an orchard. As used in this subsection, "cropland" means acreage in tillage rotation, land being cropped and land in bush fruits, and "pastureland" means acreage devoted to the production of forage plants used for animal production. Nothing in this subsection may be construed to limit or expand a land owners property rights.

2. Stop and identify requirement. Persons operating ATVs upon the land of another shall stop and identify themselves upon the request of the landowner or the landowner's duly authorized representative.

3. Operating ATV upon controlled access highway. The following provisions govern the operation of ATVs on controlled access highways.

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

(1) A person on a properly registered ATV 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 ATV may operate the ATV 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.

4. Unlawfully operating ATV on snowmobile trail. A person may not operate any 4-wheel-drive vehicle, dune buggy, all-terrain vehicle, motorcycle or any other motor vehicle, other than a snowmobile and appurtenant equipment, on snowmobile trails that are financed in whole or in part with funds from the Snowmobile Trail Fund, unless that use has been authorized by the landowner or the landowner's agent, or unless the use is necessitated by an emergency involving safety of persons or property.

Exception: ATV's with tracks, registered as snowmobile can be operated on a snowmobile trail.

5. Repealed

5-A. Operating a truck, pickup truck or passenger vehicle on an ATV trail. A person may not operate a truck, pickup truck, or passenger vehicle on a designated ATV trail that is not on a gravel road system unless authorized by the landowner or landowner's agent, or in an emergency involving the safety of a person or property. For purposes of this law, "pickup truck" and "truck" have the same meaning as in Title 29-A section 101, subsections 55 and 88 and "passenger vehicle" means a self-propelled 4-wheel motor vehicle designed primarily to carry passengers on public roads.

6. Operating ATV on public way. Except as provided in this subsection, a person may not operate an ATV, other than an ATV registered with the Secretary of State under Title 29-A, on any portion of a public way maintained or used for the operation of conventional motor vehicles or on the sidewalks of any public way.

A. A properly registered ATV may be operated on a public way only the distance necessary, but in no case to exceed 500 yards, on the extreme right of the traveled way for the purpose of crossing, as directly as possible, a public way, bridge, overpass, underpass, sidewalk or culvert as long as that operation can be made safely and does not interfere with traffic approaching from either direction on the public way.

B. Repealed.

C. An ATV may be operated on any portion of a public way when the public way has been closed in accordance with Title 23, section 2953.

D. An ATV may be operated on a public way that is not maintained or used for the operation of conventional motor vehicles, except that operation on the left side of the way is prohibited during the hours from sunset to sunrise.

E. An ATV may be operated on streets and public ways during a period of emergency when the emergency has been so declared by a police agency having jurisdiction and when travel by conventional motor vehicles is not practicable.

F. An ATV may be operated on streets and public ways in special events of limited duration conducted according to a prearranged schedule under a permit from the governmental unit having jurisdiction.

G. An ATV may be operated on a public way on the extreme right of the traveled way by a law enforcement officer for the sole purpose of traveling between the place where the ATV is usually stored and an area to be patrolled by the law enforcement officer.

H. Notwithstanding paragraphs A to G, an ATV may be operated on the extreme right of a public way, or as directed by the appropriate governmental unit within the public way, of a municipality or an unorganized or unincorporated township if the appropriate governmental unit has designated the public way as an ATV-access route. An ATV must travel in the same direction as motor vehicle traffic on a public way designated as an ATV access route. A public way designated by an appropriate governmental unit as an ATV-access route must be posted conspicuously at regular intervals by that governmental unit with highly visible signs designating the ATV-access route. Before designating a public way as an ATV-access route, the appropriate governmental unit shall make appropriate determinations that ATV travel on the extreme right of the public way, or as directed by the appropriate governmental unit within the public way may be conducted safely and will not interfere with vehicular traffic on the public way. For purposes of this paragraph, "appropriate governmental unit" means the Department of Transportation, county commissioners or municipal officers within their respective jurisdictions. The jurisdiction of each appropriate governmental unit over public ways pursuant to this paragraph is the same as its jurisdiction over the passage of vehicles on public ways pursuant to Title 29-A, section 2395. Municipal or county law enforcement officials having jurisdiction have primary enforcement authority over any route established under this paragraph.

7. **Failing to stop ATV before entering public way.** A person shall bring an ATV to a complete stop before entering a public way.
8. **Failing to yield right-of-way while operating ATV.** A person shall yield the right-of-way to all other types of vehicular traffic while operating an ATV on a public way.
9. **Crossing closed bridge, culvert, overpass or underpass with ATV.** A person may not cross with an ATV a bridge, culvert, overpass or underpass closed to ATVs by the Commissioner of Transportation pursuant to this subsection. The Commissioner of Transportation may, following a public hearing, prohibit the crossing by an ATV of an individual bridge, culvert, overpass or underpass if the commissioner determines that that crossing or use of a public way is hazardous. Any bridge, culvert, overpass or underpass closed by the commissioner must be posted by appropriate notices.
10. **Reckless operating on ATV.** A person may not operate an ATV in such a way as to recklessly create a substantial risk of serious bodily injury to another person.
11. **Operating ATV to endanger.** A person may not operate an ATV so as to endanger any person or property.
12. **Operating ATV at greater than reasonable and prudent speed.** A person may not operate an ATV except at a reasonable and prudent speed for the existing conditions.
13. **Operating ATV without protective headgear.** Notwithstanding Title 29-A, section 2083, a person under 18 years of age may not operate an ATV without protective headgear.
14. **Carrying passenger on ATV without headgear.** Notwithstanding Title 29-A, section 2083, a person may not carry a passenger under 18 years of age on an ATV unless the passenger is wearing protective headgear.
15. **Repealed**
16. **ATV headlight and taillight requirements.** This subsection establishes light equipment requirements for the operation of an ATV.
    A. Except as provided in this subsection and section 13159, a person may not operate an ATV in the State, regardless of where purchased, unless equipped with front and rear lights as follows.
        (1) The ATV must have mounted on the front at least one headlight capable of casting a white beam for a distance of at least 100 feet directly ahead of the ATV.
        (2) The ATV must have mounted on the rear at least one taillight capable of displaying a light that must be visible at a distance of at least 100 feet behind the ATV.
    B. The following are exceptions to the requirements of paragraph A.
        (1) An ATV manufactured prior to January 1, 1991 without a headlight or taillight is exempt from the provisions of this subsection while being operated between sunrise and sunset.
        (2) A person may operate an ATV without a headlight and taillight between sunrise and sunset if:
            (a) The ATV has an engine size of 90 cubic centimeters or less; and
            (b) The ATV has 4 or more wheels.
17. **Required use of ATV lights.** Except as provided in section 13159, the following provisions govern the use of ATV lights.
    A. A person shall use the lights required under subsection 16 as follows:
        (1) During the period from ½ hour after sunset to ½ hour before sunrise; and
        (2) At any time when, due to insufficient light or unfavorable atmospheric conditions caused by fog or otherwise, other persons, vehicles and other objects are not clearly discernible for a distance of 500 feet ahead.
18. **Unlawfully operating ATV on railroad tracks.** This subsection governs operation of an ATV on railroad tracks.
    A. A person may not:
        (1) Operate an ATV along or adjacent and parallel to the tracks of a railroad within the limits of the railroad right-of-way without written permission from the railroad owning the right-of- way; or
        (2) Operate an ATV across the tracks of a railroad after having been forbidden to do so by the railroad owning the railroad right-of- way or by an agent of that railroad, either personally or by appropriate notices posted conspicuously along the railroad right-of-way.
    B. Notwithstanding paragraph A, a person may operate within the right-of-way of a portion of railroad line that has been officially abandoned under the authority of the Interstate Commerce Commission.
19. **Operating too close to certain buildings.** A person may not operate an ATV within 200 feet of a dwelling, hospital, nursing home, convalescent home, or church.
    A. This subsection does not apply when a person is operating an ATV on:
        (1) Public ways in accordance with subsections 3, 6, 7, 8, and 9;
        (2) The frozen surface of any body of water; or
        (3) Land that the operator owns or is permitted to use.
20. **Repealed.**
21. **Repealed.**
22. **Abuse of another person's property. A person may not while operating an ATV:**
    A. Tear down or destroy a fence or wall on another person's land;
    B. Leave open a gate or bars on another person's land;
    C. Trample or destroy crops on another person's land; or
    D. Remove or destroy signs or posted notices.
23. **Repealed.**
24. **Operation of ATV on temporarily closed trail.** A person may not operate an ATV on any section of a trail posted with a notice of temporary closure in accordance with this subsection. The notice must specify the section of trail that is closed and the period of the closure and must be conspicuously posted at each end of the closed section of the trail.
25. **ATV noise and fire control devices.** The following provisions pertain to ATV muffling and fire control devices and noise level limits.
    A. Except as provided in section 13159, a person may not:
        (1) Operate an ATV that is not equipped at all times with an effective and suitable muffling device on its engine to effectively deaden or muffle the noise of the exhaust;
        (2) Operate or modify an ATV with an exhaust system that has been modified in any manner that will increase the noise emitted above the following emission standard:

(a) Each ATV must meet noise emission standards of the United States Environmental Protection Agency and in no case exceed 96 decibels of sound pressure when measured from a distance of 20 inches using test procedures established by the commissioner; or

(3) Operate an ATV without a working spark arrester.

B. In addition to any penalties imposed under this subsection, the court may, subject to section 9321 and Title 17-A, chapter 54, order restitution for fire suppression costs incurred by state or municipal government entities in suppressing a fire caused by an ATV operating without a working spark arrester.

26. **Prohibited equipment.** A person may not operate an ATV that is equipped with a snorkel kit or other equipment designed to allow the ATV to be used in deep water except with the permission of the owner of the land on which the ATV is operated or as provided in section 13159.

27. **Operation of ATV in prohibited area.** The following provisions establish areas where the operation of an ATV is prohibited.

A. A person may not operate an ATV:

(1) On a salt marsh, intertidal zone, marine sand beach, sand dune or any cemetery, burial place or burying ground; or

(2) When the ground is not frozen and sufficiently covered with snow to prevent direct damage to the vegetation:

(a) On alpine tundra;

(b) On a freshwater marsh or bog, river, brook, stream, great pond, nonforested wetland or vernal pool; or

(c) In a source water protection area as defined in Title 30-A, section 2001, subsection 20-A.

The provisions of this subparagraph do not apply to a trail designated for ATV use by the Department of Agriculture, Conservation and Forestry. The provisions of this subparagraph also do not apply to a person accessing land for maintenance or inspection purposes with the landowner's permission or to local, state, or federal government personnel in the performance of official duties, provided there is no significant ground disturbance or sedimentation of water bodies.

§13158-A – Unlawfully permitting operation; liability for damage by other persons

1. **ATV owner; operation by another.** A person is in violation of this subsection if that person is the owner of an ATV that is operated in violation of this chapter.

2. **Parent or guardian; operation by minor.** A person is in violation of this subsection if that person is a parent or guardian responsible for the care of a minor under 18 years of age who is operating an ATV in violation of this chapter.

3. **Furnishing ATV.** An owner of an ATV, a person who gives or furnishes an ATV to a person and a parent or guardian responsible for the care of a minor under 18 years of age are jointly and severally liable with the operator for damages caused in the operation of the vehicle or by the minor in operating any ATV.

§13159 – Racing meets

Notwithstanding section 13155 and section 13157-A, subsection 16, paragraph A, subsection 17, and subsection 25 ATVs used exclusively for scheduled racing meets and operated solely on predefined race courses are exempt from the provisions of this chapter concerning registration, mufflers, snorkel kits, and lights during the time of operation at these meets and at all prerace practices at the location of the meets.

§13160 – Dealer's registration and license

1. **Application and issuance.** A person may not engage in the business of selling ATVs in the State unless that person has registered as a dealer and secured a valid dealer's license from the commissioner. A dealer so registered and licensed need not register individual ATVs.

2. **Fees.** The annual license fee for a dealer registered under subsection 1 is $15. The license runs from July 1st of each year.

A. A dealer licensed under Title 29-A, section 954, subsection 2 is not required to pay the license fee under this subsection.

3. **Dealer's number plates.** Dealer's number plates must be provided and obtained as follows.

A. A dealer registered under subsection 1 may receive dealer's number plates for a $5 annual fee for each plate.

B. Replacements for lost or stolen plates may be obtained for a fee of $5 for each plate.

C. If a number plate is lost or stolen, the owner shall notify the commissioner immediately.

4. **Temporary registration certificate.** The commissioner may issue temporary registration certificates to a registered dealer who may, upon the sale or exchange of an ATV, issue a temporary registration certificate to a new owner, in order to allow the new owner to operate the ATV for a period of 20 consecutive days, after the date of sale in lieu of a permanent number as required by this chapter. The fee for each temporary registration is $1.

5. **Display of dealer's number plate.** A dealer shall display the dealer's number on each ATV being used until the sale of the ATV, whereupon it becomes the owner's responsibility to register the ATV.

6. **Warranties and information on used ATVs.** A dealer who offers a warranty in connection with the sale or transfer of a used ATV shall furnish a written statement concerning that warranty. The statement regarding the warranty must indicate the parts or systems of the vehicle that are covered and those not covered by the warranty and what the dealer will do in the event of a defect and at whose expense repairs be made. The dealer shall also furnish before sale a written statement identifying any and all defects known to the dealer and any type of damage that the vehicle has sustained if such information is known to the dealer.

§13161 – Sale of ATV; light equipment

1. **Headlight and taillight required.** A person may not sell or offer to sell a new ATV unless:

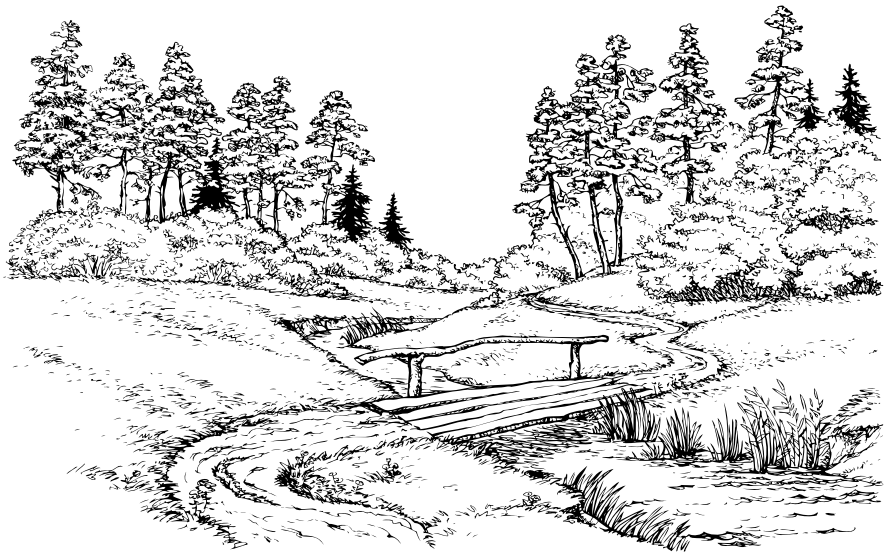
A. That ATV is equipped with a functioning headlight and taillight; or

B. The ATV:

(1) Is a 2-wheel off-road motorcycle; or

(2) Has an engine size of 90 cubic centimeters or less and has 4 or more wheels. ■

LAWS & RULES
Summary of Penalties for ATV



This is a summary of penalties for ATV. For full language please refer to Title 12.

Operating under the influence. ***See page 4.***

§10651, 1-D – Failure to stop for law enforcement officer

A person may not fail or refuse to stop any ATV on request or signal of any law enforcement officer in uniform whose duty it is to enforce ATV laws. A person who violates this provision commits a Class D crime, for which a minimum fine of not less than $1,000 must be adjudged. If convicted there is a mandatory one year suspension of all licenses, permits and registrations by the department.

§10651, 1-E – Attempt to elude a law enforcement officer

A person may not attempt to elude a law enforcement officer by: operating or attempting to operate an all-terrain vehicle past a clearly identifiable police roadblock; or after being requested or signaled to stop by a law enforcement officer in uniform, operating or attempting to operate an all-terrain vehicle at a reckless rate of speed. A person who violates this provision commits a Class D crime, for which a minimum fine of not less than $1,000 must be adjudged. If convicted there is a mandatory one year suspension of all licenses, permits and registrations by the department.

§13157-A, 10 – Reckless operating on ATV

A person may not operate an ATV in such a way as to recklessly create a substantial risk of serious bodily injury to another person. A person who violates this provision commits a Class D crime. If convicted there is a mandatory one year suspension of all licenses, permits and registrations by the department.

§13157-A, 11 – Operating ATV to endanger

A person may not operate an ATV so as to endanger any person or property. A person who violates this provision commits a Class E crime. If convicted there is a mandatory one year suspension of all licenses, permits and registrations by the department.

§13157-A, 12 – Operating ATV at greater than reasonable and prudent speed

A person may not operate an ATV except at a reasonable and prudent speed for the existing conditions. A person who violates this provision commits a Class E crime.

§13157-A, 22 – Abuse of another person's property

A person may not while operating an ATV:

- Tear down or destroy a fence or wall on another person's land;
- Leave open a gate or bars on another person's land;
- Trample or destroy crops on another person's land; or
- Remove or destroy signs or posted notices.

A person who violates this subsection commits a Class E crime. If convicted there is a mandatory one year suspension of all licenses, permits and registrations by the department.

§10902, 1 – Suspension or revocation of, or refusal to issue a license or permit

Any conviction or adjudication for a violation of this Part is grounds for suspension of any license or permit issued under this Part. Except where provided by law, the commissioner shall determine the suspension period. To suspend a license or permit based upon a conviction or adjudication, the commissioner shall follow the procedures under section 10903.

§10902, 9 – Discretionary suspension for certain ATV violations; training

The commissioner may suspend all licenses, permits and registrations issued by the department pursuant to this Part to any person convicted or adjudicated of:

- Operating an ATV on a temporarily closed trail or
- Operating an ATV on the land of another without permission.

If the commissioner suspends a license, permit or registration pursuant to this subsection, the suspension must be for at least 90 days.

§10902, 10 – Mandatory suspension for certain ATV violations

The commissioner shall suspend for at least one year all licenses, permits and registrations issued by the department pursuant to this Part to any person convicted or adjudicated of:

- Abuse of another person's property.
- Operating an ATV under the influence.
- Operating an ATV to endanger.
- Reckless operation of an ATV.
- Failure or refusal to stop an ATV or attempting to elude an officer. ■

Snowmobiling in Maine

SNOWMOBILE TRAIL FUND DONATION STICKER PROGRAM

The commissioner shall establish the Snowmobile Trail Fund Donation Sticker Program. The commissioner shall design and issue 3 different Snowmobile Trail Fund donation stickers to reflect a donor's donation of $25, $50 and $100, respectively. For every donation $2 is retained by the department and the remainder is transferred to the Snowmobile Trail Fund of the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands.

TRI-STATE SNOWMOBILE WEEKEND: JANUARY 27-29, 2017

During the annual Tri-State Snowmobile weekend, all legally registered Maine snowmobiles may be operated in New Hampshire and Vermont without being registered in those states and all snowmobiles legally registered in New Hampshire and Vermont may be operated in Maine without being registered in Maine. All other snowmobile laws remain in effect in each respective state.

SNOWMOBILE REGISTRATION FEES & AGE REQUIREMENTS

RESIDENTS	NONRESIDENTS
$45* *Prior to registration, sales or use taxes are due.*	Season: $99*
	10-Day : $75*
	3-Day: $49*

A person may not permit a child under 10 years of age to operate a snowmobile unless the child is accompanied by an adult. This does not apply on land that is owned by the parent or guardian or on land where permission for use has been granted to the parent or guardian.

The season registration for a snowmobile is valid for one year, commencing on July 1st of each year.

See resident and nonresident definitions on page 7.

**Plus Agent Fee*

Note: The date for the reciprocal weekend will be determined annually. This reciprocal weekend is valid only if Vermont and/or New Hampshire continue to make their snowmobile trails open to all legally registered Maine snowmobiles. Some states and provinces require proof of insurance and payment of a trail use fee or club membership. Call ahead for requirements and restrictions. ■

LAWS & RULES
Snowmobile

§13001 – Definitions

Accompanied by an adult. "Accompanied by an adult" means within visual and voice contact and under the effective control of a child's parent or guardian or another person 21 years of age or older.

Antique Snowmobile. "Antique Snowmobile" means a snowmobile more than 25 years old that is registered as an antique snowmobile under section 13104, subsection 5.

Cowling. "Cowling" means the forward or rear portion of a snowmobile, usually of fiberglass or similar material, surrounding the motor and clutch assembly.

Operate. "To operate," in all its moods and tenses, means: When it refers to a snowmobile, to use a snowmobile in any manner within the jurisdiction of the State, whether or not the vehicle is under way.

Owner. "Owner" means: For the purpose of registration of a snowmobile, a person holding title to a snowmobile or having exclusive right to the use of a snowmobile for a period greater than 30 days.

Private Way. As defined by Title 23 §1903-10-A, "Private Way" means a private road, driveway, or public easement. "Public easement" means an easement held by a municipality for purposes of public access to land or water not otherwise connected to a public way, and includes all rights enjoyed by the public with respect to private ways dedicated to the public.

Protective Headgear. "Protective headgear" means a helmet that conforms with minimum standards of construction and performance as prescribed by the American National Standards Institute specification Z90.1 or by the Federal Motor Vehicle Safety standard No. 218.

Public Way. As defined by Title 23 §1903-11 "Public Way" means any road capable of carrying motor vehicles, including, but not limited to, any state highway, municipal road, county road, unincorporated territory road, or other road dedicated to the public.

Snowmobile. "Snowmobile" means a vehicle propelled by mechanical power that is primarily designed to travel over ice or snow and is supported in part by skis, belts, or cleats.

Trail Grooming Equipment. See page 23.

§13002 – Collection by Commissioner

The commissioner or agents of the commissioner shall act on behalf of the State Tax Assessor to collect the use tax due under Title 36, chapters 211 to 225 in respect to any snowmobile for which an original registration is required under this Title at the time and place of registration of that snowmobile.

§13003 – Payment of sales or use tax prerequisite to registration

2. **Registration of snowmobile.** Prior to registering a snowmobile, an agent of the commissioner shall collect sales or use tax due. Sales or use tax is due unless:

   A. The person registering the snowmobile is not a resident of this State. Snowmobiles and snowmobile trail grooming equipment used directly or exclusively for the grooming of snowmobile trails and which are sold to incorporated non-profit snowmobile clubs are exempt from paying sale or use tax.

   B. The registration is a renewal registration by the same owner;

   C. The applicant possesses a dealer's certificate showing that the sales tax was collected by the dealer. The State Tax Assessor shall prescribe the form of a dealer's certificate; or

   D. The snowmobile is otherwise exempt from sales or use tax under Title 36, section 1760.

§13006 – Impoundment of snowmobiles

When a law enforcement officer issues a summons for a violation under chapter 937, the officer may impound the snowmobile operated by the person who receives the summons if, in the judgment of the officer, based on actual previous offenses by the operator or other considerations, the operator will continue to operate the snowmobile in violation of chapter 937 and that operation may be a hazard to the safety of persons or property.

The operator or owner of a snowmobile impounded under this section may reclaim the snowmobile at any time subsequent to 24 hours after the issuance of the summons upon payment of the costs of impoundment to the enforcement agency impounding the snowmobile.

§13101 – Application

This chapter applies to the operation of snowmobiles in all areas that come within the jurisdiction of the State.

§13102 – License not required

An operator's license is not required for the operation of a snowmobile.

§13103 – Rule violations; snowmobiles and snowmobile races

The following penalties apply to violations of rules regulating snowmobiles or the protection and safety of spectators at snowmobile races.

1. **Civil.** Notwithstanding section 10650, a person who violates a rule regulating snowmobiles or the protection and safety of spectators at snowmobile races commits a civil violation for which a fine of not less than $100 nor more than $500 may be adjudged.
2. **Criminal.** A person who violates a rule regulating snowmobiles or the protection and safety of spectators at snowmobile races after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

§13104 – Registration

1. **Operating unregistered snowmobile.** Except as provided in this section, subsection 7 and section 13112, a person may not operate a snowmobile that is not registered in accordance with this section.
   A. A registration is not required for a snowmobile operated over the snow on land on which the owner lives or on land on which the owner is domiciled, provided the snowmobile is not operated elsewhere within the jurisdiction of this State.
   B. A registration is not required for a snowmobile operated by a commercial ski area for the purpose of packing snow or for rescue operations thereon, unless the snowmobile is required to cross a public way during that operation.
   C. Snowmobiles owned and operated in this State by the Federal Government, the State or political subdivision of the State are exempt from registration fees, but must be registered and required to display numbers.
   D. Registration is not required to field test repairs to a snowmobile if valid snowmobile repair shop number plates issued under section 13110 are affixed to the snowmobile during the field test and the snowmobile is not owned by the snowmobile repair shop or any repair shop employee.
   E. Registration is not required to field test repairs to a snowmobile when tested on the premises of the repair shop when the shop is open and the snowmobile is not owned by the snowmobile repair shop or any repair shop employee. See page 22.
2. **Application and issuance.** The commissioner or the commissioner's designee may register, and assign a registration number to, all snowmobiles upon application and payment of a registration fee by the owner. The commissioner shall charge a fee of $1 for each registration issued by department employees.
3. **Form of registration.** The snowmobile registration must be in such form as the commissioner may determine except that the commissioner shall develop a single form of registration that can be used for the 3-day, 10-day, or seasonal nonresident registrations.
4. **Fee.** Five dollars from each registration fee collected pursuant to this subsection must be transferred to a special fund administered by the Off-Road Vehicle Division of the Bureau of Parks and Lands within the Department of Agriculture, Conservation & Forestry. The funds must be used to assist any entity that has a snowmobile trail-grooming contract with the bureau in the purchase of trail-grooming equipment. The funds also may be used for the repair or overhaul of trail- grooming equipment. Twelve dollars from each resident fee is transferred to the Snowmobile Trail Fund. Six dollars from each nonresident 3-day snowmobile registration, six dollars from each nonresident 10-day registration fee, and eleven dollars from each nonresident seasonal snowmobile registration fee must be transferred to the Snowmobile Trail Fund of the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands.
5. **Antique snowmobile registration fee.** A resident who owns a snowmobile that is more than 25 years old and that is substantially maintained in original or restored condition may register that snowmobile under this subsection as an antique snowmobile. An antique snowmobile registration authorizes that snowmobile to be operated only for the purpose of traveling to, returning from and participating in an exhibition, parade or other event of interest to the public or for occasional personal use. (Antique snowmobiles are not required to display registration number or stickers). The one-time fee for an antique snowmobile registration is $33* and can only be obtained at the Augusta office. An antique snowmobile registration is valid until the ownership of that antique snowmobile is transferred to another person. Upon the transfer of ownership, the new owner may reregister that snowmobile as an antique snowmobile by paying the $33* antique snowmobile registration fee. The registration fee for an antique snowmobile is allocated according to section 10206, subsection 2, paragraph A.

   *Plus agent fee
6. **Members of armed forces permanently stationed in Maine.** The following persons are eligible to register any snowmobile owned by them at the resident fee:
   A. Any person serving in the Armed Forces of the United States who is permanently stationed at a military or naval post, station or base in the State; and
   B. The spouse and children of the person described in paragraph A, provided that the spouse and children permanently reside with that person.

   A member of the armed forces described in paragraph A who desires to register a snowmobile shall present certification from the commander of the post, station or base, or from the commander's designated agent, that the member is permanently stationed at that post, station or base. Registration fees for registrations pursuant to this subsection must be allocated as if the person registering the snowmobile was a resident of the municipality in which the post, station or base is situated.
7. **Snowmobiles of nonresidents.** Maine-New Hampshire Cooperative Trails. Except as specifically provided in this subsection and notwithstanding any other provision of law, a snowmobile belonging to a nonresident may be possessed or operated by any person in this State as long as the snowmobile is properly registered in this State in the name of a nonresident owner of the snowmobile. Nothing in this subsection authorizes the operation of a snowmobile in a manner contrary to this chapter.
   A. A nonresident is ineligible to obtain a resident registration for a snowmobile owned by that nonresident. Snowmobiles and grooming equipment registered to federal or state entities, snowmobile clubs, municipalities or counties from bordering states or provinces and engaged in trail grooming may be operated without being registered under this subsection. Snowmobiles registered in either New Hampshire or Canada may be operated on any lake or pond that is partly in both the State and New Hampshire or Canada without being registered in the State.

B. A snowmobile registered in this State or in New Hampshire may be operated without further registration requirements on those portions of the Maine-New Hampshire Cooperative trails located in Maine. For purposes of this paragraph, "Maine-New Hampshire Cooperative trails" means:

(1) New Hampshire Trail 18 as identified in the Success Pond - Grafton Notch area; and

(2) Maine Trail ITS-80 as identified in the Evans Notch area of the White Mountain National Forest.

C. Snowmobiles registered in another state or in a Canadian province may be operated without a Maine registration at a special event or festival organized to occur in this State if such operation is approved by the commissioner. An event or festival organizer must submit a request in writing to the commissioner at least 60 days prior to the event or festival and shall include a map of trails where operation will be allowed.

D. A snowmobile owned or under the control of a snowmobile manufacturer may be operated without a Maine registration at a demonstration event organized to occur in this State if such operation is approved by the commissioner. A snowmobile manufacturer or a representative of a snowmobile manufacturer must submit a request in writing to the commissioner at least 60 days prior to the demonstration event and shall include a description and the location of the event.

Signs on Maine-New Hampshire Cooperative Trails. The Director of the Off-Road Vehicle Division of the Bureau of Parks and Lands within the Department of Agriculture, Conservation & Forestry shall work with the director of New Hampshire's snowmobile program to develop and place signs clearly identifying the Maine-New Hampshire Cooperative trails as defined in the Maine Revised Statutes, Title 12, section 13104, subsection 7.

8. **Duplicate registration certificate.** The holder of any resident or nonresident seasonal registration certificate issued under this section may obtain a duplicate from the commissioner upon application and payment of a fee of $1.

9. **Repealed**

10. **Transfer of ownership, discontinuance of use.** The following provisions govern transfer of ownership and discontinued use.

A. A person who transfers the ownership or permanently discontinues the use of a snowmobile having a resident registration or a nonresident seasonal registration and applies for registration of another snowmobile in the same registration year is entitled to a registration upon payment of a transfer fee of $4 and is not required to pay the regular registration fee.

B. Whenever ownership is transferred or the use of a snowmobile for which a registration has already been issued is discontinued, the old registration must be properly signed and executed by the owner showing that the ownership of the snowmobile has been transferred or its use discontinued and returned to the commissioner within 10 days of the transfer or discontinuance of use.

C. If there is a change of ownership of a snowmobile for which a registration has previously been issued, the new owner shall apply for a new registration, shall set forth the original number in the application, and shall pay the regular fee for the particular snowmobile involved.

11. **Repealed**

12. **Repealed**

12-A. **Registration certificate, inspection, and display.**

A. A person shall:

(1) Provide a registration certificate or an online registration receipt for inspection by any law enforcement officer on demand; and

(2) Display registration numbers in the form of stickers in such a form and manner as the commissioner may determine, except that an antique snowmobile is not required to display registration numbers. A person may operate a snowmobile registered online without displaying a registration number until that person receives the registration certificate from the department or for 30 days after registering the snowmobile online, whichever occurs first.

Note: The registration stickers must be displayed on both sides of the cowling.

13. **Fraudulent acquisition of snowmobile registration**. A person may not obtain a snowmobile registration through fraud, misstatement or misrepresentation.

14. **Report of destroyed, abandoned or permanently removed snowmobile.** A registrant shall notify the commissioner if a snowmobile is destroyed, abandoned or permanently removed from the State.

15. **Repealed**

16. **Reciprocity.** The commissioner may allow a nonresident to operate in this State a snowmobile that is not registered in this State during one 3-consecutive-day period, 2 days of which are weekend days, annually if:

A. The nonresident's snowmobile has a valid registration from another state or from the Canadian provinces of New Brunswick or Quebec; and

B. The nonresident's state or province of residency allows a snowmobile registered in Maine to be operated in that state or province for a period of time of at least 3 consecutive days without being registered in that state or province.

§13105 – Snowmobile registration agents

1. **Appointment of snowmobile registration agents; report; fees.** Appointment of snowmobile registration agents and applicable fees are governed by the following.

A. The commissioner may appoint municipal clerks or other persons who a municipality may designate as municipal agents to issue snowmobile registrations. The commissioner may designate other agents as necessary to issue snowmobile registrations. The commissioner shall determine by rule the period when the agents shall act.

B. Agents may charge a service fee of not more than $1 for each snowmobile renewal registration issued and $2 for each registration covered by sections 13002 to 13005. This service fee is retained by the agent.

C. An agent is delinquent if that agent fails to forward to the commissioner funds collected by that agent by the date established in rules adopted under this subsection. Failure to remit the funds as provided in this subsection results in the following sanctions, in addition to any other provided by law.

(1) If an agent is delinquent for more than 150 days or is delinquent 3 or more times in one year, the commissioner shall:

(a) Terminate the agency for the balance of the year; and

(b) Order that the agency not be renewed for the next year.

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

2. **Unlawful issuance of snowmobile registration.** An agent may not issue a resident snowmobile registration to a nonresident or a nonresident snowmobile registration to a resident.

§13106-A – Operation of snowmobile

1. **No permission given.** This chapter does not give license or permission to cross or go on the property of another.
2. **Stop and identify requirement.** Persons operating a snowmobile upon the land of another shall stop and identify themselves upon the request of the landowner or the landowner's duly authorized representative.
3. **Operating snowmobile upon controlled access highway.** Except as provided in paragraph A, a person may not operate a snowmobile upon a controlled access highway or within the right-of-way limits of a controlled access highway.

   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.

4. **Unlawfully operating snowmobile on plowed road.** A person may not operate a snowmobile upon any plowed private road, or public road plowed privately without public compensation, after having been forbidden to do so by the owner thereof, the owner's agent or a municipal official, either personally or by appropriate notices posted conspicuously on that road.
5. **Operating snowmobile on public way.** Except as provided in subsection 4 and this subsection, a person may not operate a snowmobile upon the main traveled portion, the sidewalks or the plowed snowbanks of a public way.

   A. A properly registered snowmobile may be operated on a public way only the distance necessary, but in no case to exceed 500 yards, on the extreme right of the traveled way for the purpose of crossing, as directly as possible, a public way, sidewalk or culvert.

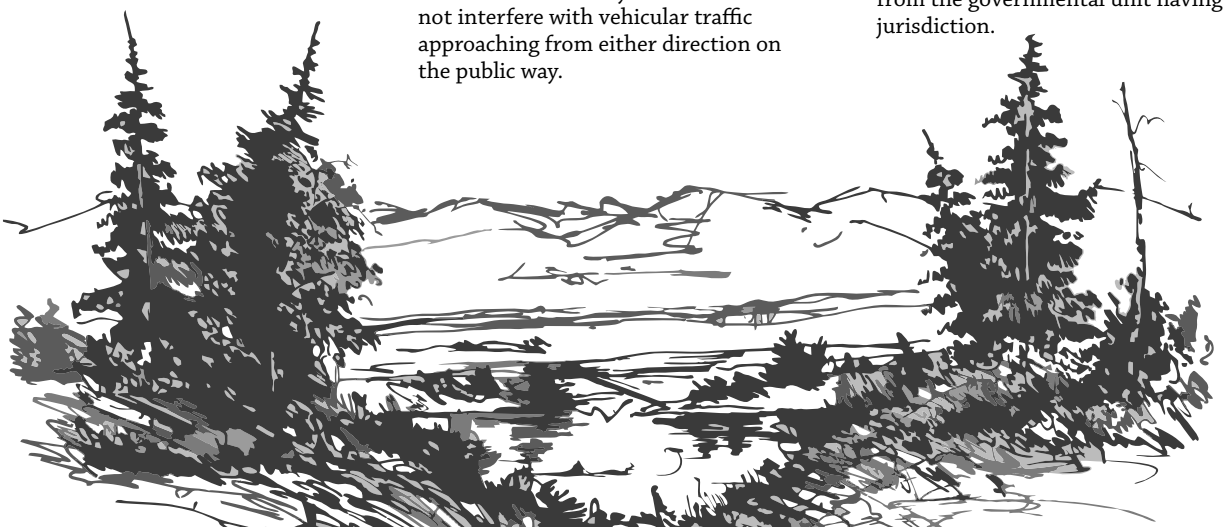
   B. A properly registered snowmobile may be operated on a public way only the distance necessary, but in no case to exceed 500 yards, on the extreme right of the traveled way for the sole purpose of crossing, as directly as possible, a bridge, overpass or underpass, provided that that operation can be made in safety and that it does not interfere with vehicular traffic approaching from either direction on the public way.

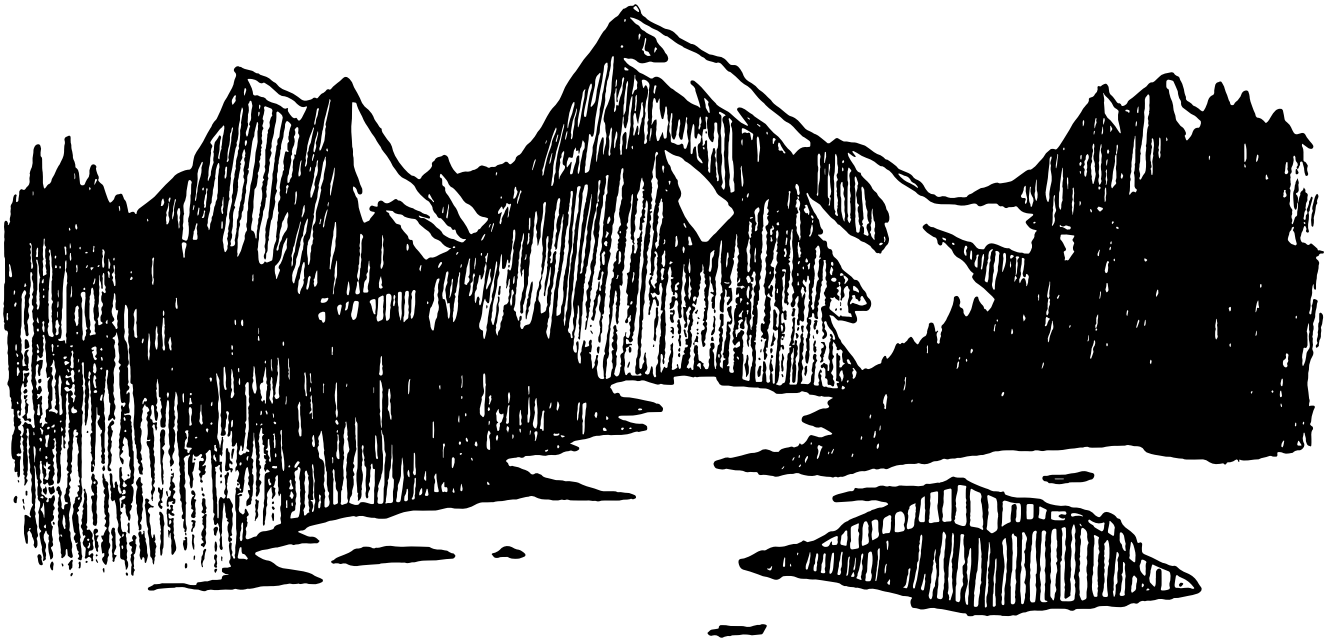
   C. A snowmobile may be operated on any portion of a public way when the public way has been closed in accordance with Title 23, section 2953.

   D. If the main traveled portion of a public way is publicly plowed and utilized by conventional motor vehicles, a snowmobile may be operated only on that portion of the way not maintained or utilized for the operation of conventional motor vehicles, except that operation on the left side of the way is prohibited during the hours from sunset to sunrise on the portion of the way not maintained or utilized for the operation of conventional motor vehicles. This paragraph does not apply to a snowmobile operated by a public utility regulated by the Public Utilities Commission while being operated in the course of the utility's corporate function, so that public utilities may effectively and speedily carry out their obligations to the public.

   E. A snowmobile may be operated on streets and public ways during a period of emergency when the emergency has been so declared by a police agency having jurisdiction and when travel by conventional motor vehicles is not practicable. This paragraph does not apply to a snowmobile operated by a public utility regulated by the Public Utilities Commission while being operated in the course of the utility's corporate function, so that public utilities may effectively and speedily carry out their obligations to the public.

   F. A snowmobile may be operated on streets and public ways in special snowmobile events of limited duration conducted according to a prearranged schedule and under a permit from the governmental unit having jurisdiction.





G. Notwithstanding paragraphs A to F, a snowmobile may be operated on the extreme right of a public way within the built-up portion of a municipality or unorganized or unincorporated township if the appropriate governmental unit has designated the public way as a snowmobile access route for the purpose of allowing snowmobiles access to places of business. A public way designated by an appropriate governmental unit as a snowmobile-access route must be posted conspicuously at regular intervals by that governmental unit with highly visible signs designating the snowmobile-access route. Before designating a public way as a snowmobile- access route, the appropriate governmental unit shall make appropriate determinations that snowmobile travel on the extreme right of the public way may be conducted safely and will not interfere with vehicular traffic on the public way. For purposes of this paragraph, "appropriate governmental unit" means the Department of Transportation, county commissioners or municipal officers within their respective jurisdictions. The jurisdiction of each appropriate governmental unit over public ways pursuant to this paragraph is the same as its jurisdiction over the passage of vehicles on public ways pursuant to Title 29-A, section 2395. Municipal or county law enforcement officials having jurisdiction have primary enforcement authority over any route established under this paragraph.

6. **Failing to stop snowmobile before entering public way.** A person shall bring a snowmobile to a complete stop before entering a public way or a private way maintained for travel.

7. **Failing to yield right-of-way while operating snowmobile.** A person shall yield the right-of- way to all vehicular traffic while operating a snowmobile on a public way or a private way maintained for travel.

8. **Crossing a closed bridge, culvert, overpass or underpass with snowmobile.** This subsection applies to the crossing with a snowmobile of a bridge, culvert, overpass or underpass closed to snowmobiles by the Commissioner of Transportation

   A. A person may not cross with a snowmobile a bridge, culvert, overpass or underpass closed to snowmobiles by the Commissioner of Transportation.

      (1) The Commissioner of Transportation may, following a public hearing, prohibit the crossing of an individual bridge, culvert, overpass or underpass if the commissioner determines that that crossing or use of the public way is hazardous.

      (2) Any bridge, culvert, overpass or underpass closed by the Commissioner of Transportation must be posted by appropriate notices.

9. **Reckless operation of a snowmobile.** A person may not operate a snowmobile in such a way as to recklessly create a substantial risk of serious bodily injury to another person.

10. **Operating a snowmobile to endanger.** A person may not operate a snowmobile so as to endanger any person or property by:

    A. Operating the snowmobile except at a reasonable and prudent speed for the existing conditions, including when approaching and crossing an intersection or railway grade crossing, when approaching and taking a curve, when approaching a hill crest, when traveling upon any narrow or winding trail and when a special hazard exists with respect to pedestrians, skiers or other traffic by reason of weather or trail conditions; or

    B. Operating the snowmobile in a manner that fails to control its speed at all times as necessary to avoid colliding with any person, vehicle, snowmobile or other object on or adjacent to the snowmobile trail.

11. **Operating a snowmobile at greater than reasonable and prudent speed.** A person may not operate a snowmobile except at a reasonable and prudent speed for the existing conditions.

12. **Operating a snowmobile while underage.** A person under 14 years of age may not operate a snowmobile across any public way maintained for travel.

13. **Permitting an unaccompanied child to operate a snowmobile.** A person may not permit a child under 10 years of age to operate a snowmobile unless the child is accompanied by an adult. This subsection does not apply on land that is owned by the parent or guardian or on land where permission for use has been granted to the parent or guardian.

14. **Snowmobile noise level limits.** This subsection governs noise levels for snowmobiles.

    A. Except as provided in section 13112, a person may not:

    (1) Operate a snowmobile that exceeds the noise limits for that snowmobile established in paragraph B; or

    (2) Operate a snowmobile with an exhaust system that has been modified in a manner that amplifies or otherwise increases total noise emission above that of the snowmobile as originally constructed, regardless of the date of manufacture.

    B. The following noise levels are established:

    (1) Every snowmobile manufactured after February 1, 1975, and offered for sale or sold in this State must be constructed to limit total vehicle noise to not more than 78 decibels of sound pressure level at 50 feet on the "A" scale, as measured by the SAE standards J-192;

    (2) Snowmobiles manufactured after October 1, 1973, but on or before February 1, 1975, and offered for sale or sold in this State must be constructed to limit the total vehicle noise to not more than 82 decibels of sound pressure level at 50 feet on the "A" scale, as measured by the SAE standards J-192; and

    (3) Snowmobiles manufactured on or before October 1, 1973 are not subject to a specific noise level, except that they may not be modified in violation of this subsection.

15. **Snowmobile headlight and taillight equipment requirements.** Except as provided in section 13112, a person may not operate a snowmobile that is not equipped as provided in this subsection.

    A. A person may not operate a snowmobile unless the snowmobile has mounted:

    (1) On the front at least one headlight capable of casting a white beam for a distance of at least 100 feet directly ahead of the snowmobile; and

    (2) On the rear at least one lamp capable of displaying a red light visible at a distance of at least 100 feet behind the snowmobile.

16. **Required use of snowmobile lights.** Except as provided in section 13112, a person shall use lights as specified in this subsection.

    A. A person shall use snowmobile lights:

    (1) During the period from ½ hour after sunset to ½ hour before sunrise; and

    (2) At any time when, due to insufficient light or unfavorable atmospheric conditions caused by fog or otherwise, other persons, vehicles and other objects are not clearly discernible for a distance of 500 feet ahead.

17. **Unlawfully operating snowmobile on railroad tracks.** The following provisions govern the operation of a snowmobile on railroad tracks or railroad rights-of-way.

    A. A person may not operate a snowmobile along or adjacent and parallel to the tracks of a railroad within the limits of a railroad right-of-way without written permission from the railroad owning the right-of-way.

    B. A person may not operate a snowmobile across the tracks of a railroad after having been forbidden to do so by the railroad owning the railroad right-of-way, or by an agent of that railroad, either personally or by appropriate notices posted conspicuously along the railroad right-of-way.

    C. Notwithstanding this subsection, a person may operate a snowmobile on railroad tracks if the person is operating within the right- of-way of a portion of railroad line that has been officially abandoned under the authority of the Interstate Commerce Commission.

18. **Operating snowmobile in cemetery.** A person may not operate a snowmobile in any cemetery, burial place or burying ground.

19. **Operating too close to certain buildings.** A person may not operate a snowmobile within 200 feet of a dwelling, hospital, nursing home, convalescent home or church.

    A. This subsection does not apply when a person is operating a snowmobile:

    (1) On public ways in accordance with subsections 5, 6, 7 and 8 or on controlled access highways in accordance with subsection 3, paragraph A;

    (2) On the frozen surface of any body of water; and

    (3) On land the operator owns or is permitted to use.

20. **Abuse of another person's property.** A person may not, while operating a snowmobile:

    A. Tear down or destroy a fence or wall on another person's land;

    B. Leave open a gate or bar on another person's land; or

    C. Trample or destroy crops on another person's land.

21. **Snowmobile owner; operation by another.** A person is in violation of this subsection if that person is the owner of a snowmobile that is operated in violation of this chapter.

22. **Parent or guardian; operation by minor.** A person is in violation of this subsection if that person is the parent or guardian responsible for the care of a minor under 18 years of age who is operating a snowmobile in violation of this chapter.

23. **Repealed**

24. **Operating snowmobile on open water.** A person may not operate or attempt to operate a snowmobile on open water. For purposes of this subsection, "open water" means any area of an inland water body that is free of ice and snow. This subsection does not apply to private ponds.

Notwithstanding Title 17, section 2267-A, subsection 3, the owner or operator of a snowmobile that has been submerged or partially submerged as a result of a violation of this subsection shall remove the snowmobile within 24 hours of its submersion. The owner or operator of a snowmobile submerged or partially submerged as a result of a violation of this subsection shall pay any damages resulting from the submersion or removal. If the owner or operator of a snowmobile submerged or partially submerged as the result of a violation of this subsection fails to remove the snowmobile within 24 hours of its submersion, the commissioner may remove the snowmobile at the expense of the owner or operator or request in writing that the court direct the owner or operator to remove the snowmobile immediately.

25. **Headgear required.** This subsection applies to snowmobile trails funded by the Snowmobile Trail Fund of the Department of Agriculture, Conservation and Forestry, Bureau of Parks & Lands.
    A. A person operating a snowmobile on a snowmobile trail identified by the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands as having been funded by the Snowmobile Trail Fund pursuant to section 1893, subsection 3:
        (1) If the person is under 18 years of age, shall wear protective headgear that conforms to the standards established under Title 29-A, section 2083, subsection 3; and
        (2) May not carry a passenger under 18 years of age on the snowmobile unless the passenger is wearing protective headgear that conforms to the standards established under Title 29-A, section 2083, subsection 3.
    B. The Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands shall develop an administratively simple means of identifying trails that have been funded by the Snowmobile Trail Fund so that snowmobile riders can readily determine to which trails this subsection applies.
26. **Operating snowmobile left of center of snowmobile trail.**
    A person may not operate a snowmobile to the left of the center on a snowmobile trail that is funded in whole or in part by the Snowmobile Trail Fund when approaching or navigating a curve, corner, grade, or hill.

    For the purpose of this subsection, "snowmobile trail" means a trail that is at least wide enough to allow two snowmobiles to pass safely in opposite directions and where the snow over the entire width of the trail has been mechanically packed and groomed for the purpose of snowmobile traffic.

§13107 – Unlawfully operating vehicle on snowmobile trail

A person may not operate any 4-wheel-drive vehicle, dune buggy, all-terrain vehicle, motorcycle or any other motor vehicle, other than a snowmobile and appurtenant equipment, on snowmobile trails that are financed in whole or in part with funds from the Snowmobile Trail Fund, unless that use has been authorized by the landowner or the landowner's agent, or unless the use is necessitated by an emergency involving safety of persons or property.

Exception: ATV's with tracks, registered as snowmobile can be operated on a snowmobile trail.

§13108 - Liability for damage caused by minors

The owner of a snowmobile, the person who gives or furnishes that snowmobile to a person under 18 years of age and the parent or guardian responsible for the care of that minor are jointly and severally liable with the minor for any damages caused in the operation of the snowmobile by that minor.

§13109 – Dealer's registration and license

1. **Application and issuance.** A person may not engage in the business of selling new or used snowmobiles in the State unless the person has registered as a dealer and secured a valid dealer's license from the commissioner. A dealer so registered and licensed need not register individual snowmobiles. For the purposes of this subsection, "new snowmobile" means a snowmobile that has not been registered in this State or any other state or for which sales tax has not been paid in this State or any other state if that other state taxes the purchase of a new snowmobile.
2. **Fees.** The dealer's registration and license fee is $15 annually from each July 1st.
3. **Dealer's number plates.** Dealer's number plates must be provided and obtained as follows.
    A. A registered dealer may receive dealer's number plates. The annual fee for a dealer's number plate is:
        (1) For a resident dealer's plate, $16; and
        (2) For a nonresident dealer's plate, $60.
    B. Replacement for lost or stolen dealer's number plates may be obtained for a fee of $5 for each plate.
    C. If a dealer's number plate is lost or stolen, the owner shall notify the commissioner immediately.
4. **Temporary registrations and numbers.** The commissioner may issue temporary numbers and registrations for snowmobiles to bona fide dealers who may, upon the sale or exchange of a snowmobile, issue them to new owners in order to allow them to operate snowmobiles for a period of 20 consecutive days after the day of sale in lieu of a permanent number as required by this chapter. The fee for each temporary registration certificate is $1.
5. **Display of dealer's number.** Dealers shall display their dealer's number on each snowmobile being used until the sale of the snowmobile, whereupon it becomes the owner's responsibility to register the snowmobile.

§13110 – Snowmobile repair shop registration and license

1. **Application and issuance.** A person whose business includes repairing snowmobiles but who is not required to be licensed as a snowmobile dealer under section 13109 may register that business entity as a snowmobile repair shop and secure a snowmobile repair shop license and number plate from the commissioner.
2. **Fee.** The commissioner shall set the fee for a snowmobile repair shop license. The fee may not exceed $15 for any 12-month period.
3. **Field testing repairs on unregistered snowmobiles.** The owner of a snowmobile repair shop licensed under this section may operate or allow the operation of an unregistered snowmobile for the purpose of field testing repairs to that snowmobile if:
    A. Valid snowmobile repair shop number plates issued under this section are affixed to the snowmobile during the field test; and
    B. The snowmobile is not owned by the snowmobile repair shop or any person employed by the repair shop.

§13111 – Snowmobile rental agent certificate

1. **Registration and issuance.** Except as provided in this section, a person or business may not rent or lease a snowmobile unless that person or business:
   A. Registers with the department as a snowmobile rental agent and is issued a snowmobile rental agent certificate from the commissioner;
   B. Obtains a Maine certificate of number for each snowmobile being offered for rent or lease in the name of the person or business holding that certificate; and
   C. Instructs each person who rents or leases a snowmobile how to operate the snowmobile, including how to use the brake, throttle and kill switch, and provides to that person a pamphlet describing proper hand signals.
2. **Exception; guides.** This section does not apply to a person lawfully engaged in guiding activities under section 12853 who accompanies others on guided trips that include the use of snowmobiles, except that such a person must provide the operators of snowmobiles with instructions equivalent to those described in subsection 1, paragraph C.
3. **Fee.** The fee for a snowmobile rental agent certificate is $25. The certificate is valid from July 1st to June 30th.
4. **Prohibition; penalty.** A person may not rent or lease a snowmobile in violation of this section.

§13112 – Racing meets

Notwithstanding section 10650 and section 13106-A, subsections 14, 15 and 16, snowmobiles operated at a prearranged racing meet whose sponsor has obtained a permit to hold such a meet from the commissioner are exempt from the provisions of this chapter concerning registration, noise, horsepower and lights during the time of operation at such meets and at all prerace practices at the location of the meet.

§13113 – Registration of trail grooming equipment

1. **Definitions.** For purposes of this section, "trail grooming equipment" means a self-propelled vehicle that:
   C. Is driven by a track or tracks in contact with the snow; and
   D. Is performing snowmobile trail maintenance by plowing, leveling, or compacting snow by use of a front plow or rear attachments that include but are not limited to rollers, compactor bars, or trail drags.
2. **Operating unregistered trail grooming equipment.** Except as provided in this section, a person may not operate trail grooming equipment on a snowmobile trail that is financed in whole or in part by the Snowmobile Trail Fund unless that trail grooming equipment is registered in accordance with this section.
   A. A registration is not required for trail grooming equipment operated on land on which the owner lives or on land on which the owner is domiciled, if the trail grooming equipment is not operated elsewhere within the jurisdiction of this State.
   B. A registration is not required for trail grooming equipment operated by a commercial ski area for the purpose of packing snow or for rescue operation, unless the trail grooming equipment is required to cross a public way during that operation.
   C. Trail grooming equipment owned and operated by the Federal Government, the State, or a political subdivision of the State is exempt from registration fees, but must be registered and is required to display the registration.
3. **Application and issuance.** The commissioner may register trail grooming equipment upon application by the owner if the owner is a non-profit organization that has an approved contract for snowmobile trail grooming with the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands, Off-Road Vehicle Division or a person that can provide proof to the department at the time of application that the person is a member of an organization eligible to register trail grooming equipment under this section. The commissioner may establish procedures necessary to carry out the purposes of this section.
4. **Form of registration.** The trail grooming equipment registration must be in such form as the commissioner may determine.
5. **Fee.** The registration fee for trail grooming equipment is a one-time fee of $33*. The registration fee is valid from the date of issuance until the date that the equipment is sold or transferred. Revenue from the registration fee is allocated as shown below:
   - 22% General Fund
   - 52% Snowmobile Trail Fund at Department of Agriculture Conservation & Forestry, Division of Parks & Public Lands
   - 26% Municipality of County

   **Plus agent fee.*
6. **Fraudulent acquisition of trail grooming registration.** A person may not obtain a trail grooming equipment registration through fraud, misstatement, or misrepresentation.

   Note: Qualified snowmobile trail grooming equipment is exempt from sales tax. Sales to incorporated non-profit snowmobile clubs of snowmobiles and snowmobile trail grooming equipment used directly and exclusively for the grooming of snowmobile trails. ■

LAWS & RULES
Summary of Penalties for Snowmobile

This is a summary of penalties for snowmobile. For full language please refer to Title 12.

Operating under the influence. ***See page 4.***

§10651, 1-C – Failure to stop for a law enforcement officer

A person may not fail or refuse to stop any snowmobile on request or signal of any law enforcement officer in uniform whose duty it is to enforce snowmobile laws. A person who violates this provision commits a Class E crime.

§13106-A, 9 – Reckless operation of snowmobile

A person may not operate a snowmobile in such a way as to recklessly create a substantial risk of serious bodily injury to another person. A person who violates this provision commits a Class D crime.

§13106-A, 10 – Operating snowmobile to endanger

- A person may not operate a snowmobile so as to endanger any person or property by: Operating the snowmobile except at a reasonable and prudent speed for the existing conditions, including when approaching and crossing an intersection or railway grade crossing, when approaching and taking a curve, when approaching a hill crest, when traveling upon any narrow or winding trail and when a special hazard exists with respect to pedestrians, skiers or other traffic by reason of weather or trail conditions; or
- Operating the snowmobile in a manner that fails to control its speed at all times as necessary to avoid colliding with any person, vehicle, snowmobile or other object on or adjacent to the snowmobile trail.
- A person who violates this subsection commits a Class E crime.

§13106-A, 11 – Operating snowmobile at greater than reasonable and prudent speed

A person may not operate a snowmobile except at a reasonable and prudent speed for the existing conditions. A person who violates this subsection commits a Class E crime.

§13106-A, 20 - Abuse of another person's property

A person may not while operating a snowmobile:

- Tear down or destroy a fence or wall on another person's land;
- Leave open a gate or bar on another person's land; or
- Trample or destroy crops on another person's land.

A person who violates this subsection commits a Class E crime.

§10902, 1 –Suspension or revocation of, or refusal to issue a license or permit

Any conviction or adjudication for a violation of this Part is grounds for suspension of any license or permit issued under this Part. Except where provided by law, the commissioner shall determine the suspension period. To suspend a license or permit based upon a conviction or adjudication, the commissioner shall follow the procedures under section 10903. ■

CANADIAN BORDER CROSSING

1. You must stop at customs to cross a Canadian/U.S. border. The penalty for not stopping is $5,000 and loss of your snowmobile.
2. You must have a "Trail Pass" to ride Quebec and New Brunswick trails. In Quebec pick up your pass from the first club or the Federation of Clubs for Snowmobiles; telephone: (514) 252-3076. In New Brunswick pick up your pass from the first New Brunswick Federation of Snowmobile Clubs (NBFSC) checkpoint (on the trail) or arrange to purchase from the NBFSC, telephone: (506) 325- 2625; Fax: (506) 325-2627.
3. Trail 89/75 (Jackman) and Trail 85/19 (Fort Kent) crossing is open 24 hours/ 7 days a week.
4. Major ME/NB crossings are all open 24 hours/7 days a week. For local information contact: Ross Antworth, New Brunswick Federation of Snowmobile Clubs (506) 325-2625. A trail pass is required and you must have personal liability insurance, by New Brunswick law, on your snowmobile. The insurance can be from your state of origin and must be available for viewing if asked for by a peace officer. Collision, theft and fire insurance are recommended but not mandatory.
5. You must have your snowmobile registered, by New Brunswick law, in your state of origin. ■

TRAIL 92/95 CROSSING IS ONLY OPEN:

DAY	US TIME	CANADIAN TIME
Monday	6:00 am – 2:00 pm	9:00 am – 5:00 pm
Tuesday	6:00 am – 2:00 pm	9:00 am – 5:00 pm
Wednesday	6:00 am – 2:00 pm	9:00 am – 5:00 pm
Thursday	6:00 am – 2:00 pm	9:00 am – 5:00 pm
Friday	6:00 am – 2:00 pm	9:00 am – 5:00 pm
Saturday & Sunday	Closed	Closed

SUMMARY OF

ATV & SNOWMOBILE LAWS

Stewards of Maine's Inland Fisheries & Wildlife, protecting and preserving Maine's natural resources, quality of place and economic future.

MAIN OFFICE
284 State Street, 41 SHS
Augusta, ME 04333-0041
(207) 287-8000

WEBSITE
mefishwildlife.com

OPERATION GAME THIEF
In State: 1-800-ALERT US (253-7887)
Out of State: (207) 287-6057

REGIONAL COMMUNICATION CENTERS
If you are in need of the services of a game warden call the Department of Public Safety Dispatch at the following toll-free numbers:

Augusta.....1-800-452-4664

Gray.....1-800-228-0857

Houlton.....1-800-924-2261

Bangor.....1-800-432-7381

Note! The State Police numbers may be used to report a fire, ONLY if a fire warden or forest ranger cannot be reached. To report wildfire arson call 1-800-987-0257 — The Maine Forest Service, Department of Agriculture, Conservation and Forestry.

GOVERNOR
Paul R. LePage

COMMISSIONER
Chandler E. Woodcock

DEPUTY COMMISSIONER
Timothy E. Peabody

MEMBERS OF THE IF&W ADVISORY COUNCIL
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Androscoggin, Kennebec, & Sagadahoc Counties ..... (207) 495-7751

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Franklin & Oxford Counties..... (207) 864-4323

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Hancock County ..... (207) 460-6859

Gunnar Gundersen
Knox, Lincoln, & Waldo Counties..... (207) 563-1959

Donald Dudley (Chair)
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Lawrence Farrington
Piscataquis & Somerset Counties..... (207) 695-2017

Lance S. Wheaton
Washington County ..... (207) 448-7726

Jenny Starbird
York County..... (207) 477-2635

ADMINISTRATIVE REGIONS
Region A – Gray..... (207) 657-2345

Region B – Sidney..... (207) 547-5300

Region C – Jonesboro ..... (207) 434-5927

Region D – Strong ..... (207) 778-3324

Region E – Greenville..... (207) 695-3756

Region F – Enfield ..... (207) 732-4132

Region G – Ashland..... (207) 435-3231

Bangor Research Office..... (207) 941-4440

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COMMENTS AND QUESTIONS
Written comments should be mailed to:

Maine Department of Inland Fisheries & Wildlife
284 State Street
41 State House Station
Augusta, ME 04333-0041

mefishwildlife.com