

1-1-2008

# Maine All Terrain Vehicle 2008 Laws & Rules

Follow this and additional works at: [http://digitalmaine.com/ifw\\_law\\_books](http://digitalmaine.com/ifw_law_books)

---

## Recommended Citation

"Maine All Terrain Vehicle 2008 Laws & Rules" (2008). *Inland Fisheries and Wildlife Law Books*. 466.  
[http://digitalmaine.com/ifw\\_law\\_books/466](http://digitalmaine.com/ifw_law_books/466)

This Text is brought to you for free and open access by the Inland Fisheries and Wildlife at Maine State Documents. It has been accepted for inclusion in Inland Fisheries and Wildlife Law Books by an authorized administrator of Maine State Documents. For more information, please contact [statedocs@maine.gov](mailto:statedocs@maine.gov).



# STATE OF MAINE ALL TERRAIN VEHICLES 2008 LAWS & RULES



[www.maine.gov/ifw](http://www.maine.gov/ifw)

# MESSAGE FROM THE GOVERNOR

Welcome to one of Maine's fastest growing sports – ATV riding. The registration of your ATV is providing the Maine Department of Inland Fisheries and Wildlife and the Bureau of Parks and Lands with funds necessary to obtain additional trails and to provide law enforcement to make your riding enjoyable and safe.



As interest in ATV riding increases, so does the responsibility for ATV riders to ensure the growth of their sport.

The work of the ATV task force staffed by stakeholders in this growing sport has been implemented into law and they are working to protect landowners and provide opportunities for riders.

When you are out riding in Maine, please respect the land that you are on. You are a guest on someone else's property and you should treat it as your own. Be respectful and courteous when you interact with landowners and you will help promote continued use of their land.

Maine offers much variety of terrain as you venture out so enjoy the scenery and beauty of your surrounding as you ride, keeping safety and respect for the land you are on foremost on your mind.

John E. Baldacci  
Governor

---

**COMMENTS & COMPLAINTS** — If you wish to make a comment about any member of the Department, please come to or call the closest office (listed on page 2) and talk to the appropriate staff member. Written comments should be mailed to:

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

Receipt of your correspondence will be formally acknowledged in writing.

**STATE of MAINE**  
**DEPARTMENT of INLAND FISHERIES & WILDLIFE**

**ROLAND D. MARTIN** Commissioner  
**PAUL F. JACQUES** Deputy Commissioner

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

Visit our website: **[www.maine.gov/ifw](http://www.maine.gov/ifw)**

**Operation Game Thief** - 1-800-ALERT US (253-7887) In State  
or (207) 287-6057 Out of State

**REGIONAL HEADQUARTERS**

Ashland..... (207) 435-3231  
Bangor ..... (207) 941-4440  
Gray ..... (207) 657-2345  
Greenville..... (207) 695-3756  
Sidney..... (207) 547-5300

**IF YOU ARE IN NEED OF THE SERVICES OF A GAME WARDEN OR  
MARINE PATROL OFFICE, CALL THE REGIONAL COMMUNICATION  
CENTER NEAREST YOU AT THE FOLLOWING TOLL-FREE NUMBERS**

Augusta.....1-800-452-4664      Houlton .....1-800-924-2261  
Gray .....1-800-482-0730      Orono.....1-800-432-7381

**Members of the Commissioner's Advisory Council**

Sheridan R. Oldham — Androscoggin, Kennebec, and Sagadahoc Counties... (207) 872-7136  
R. Leo Kieffer (*Chair*) — Aroostook County ..... (207) 493-3190  
Ron Usher — Cumberland County ..... (207) 854-8530  
Stephen Philbrick — Franklin and Oxford Counties ..... (207) 864-3671  
Frank Dunbar — Hancock County ..... (207) 469-2667  
Michael Witte — Knox, Lincoln, and Waldo Counties ..... (207) 677-2587  
Joe Clark (*ViceChair*) — Penobscot County ..... (207) 975-2056  
Raymond Poulin, Jr. — Piscataquis and Somerset Counties ..... (207) 277-5033  
Albion Goodwin — Washington County ..... (207) 726-5574  
Robert Savage — York County ..... (207) 637-2261

**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 Conservation*

# STATE OF MAINE

## ALL TERRAIN VEHICLE

### 2008 LAWS AND RULES

Accident, Failure to Report .....	13-14
Age Requirements, Summary .....	8
Buildings, Operating to Close to .....	12
Controlled Access Highway, Operating on .....	10
Crop/Pastureland, Operating on .....	9
Crossing Bridges .....	11
Damage, Liability for .....	14 & 20
Dealer, License/Registration .....	14 & 15
Definitions .....	6
Display, Registration Numbers .....	9
Duplicates .....	9
Endanger, Operating to .....	11
Implied Consent, Chemical Tests .....	15
Land of Another, Operating on .....	10
License & Training .....	7
Lights, Failure to Use .....	12
Muffler, Operating Without .....	12 - 13
Penalties .....	16-18
Permission Required .....	10
Private Road, Operating on .....	10
Prohibited Areas, Operating in .....	13
Protective Headgear .....	6 & 12
Public Way, Operating on .....	10-11
Railroad Tracks, Operating on .....	12
Reasonable and Prudent Speed .....	11
Reckless Operation .....	11
Registration .....	8-9
Rule Violations, ATV .....	8
Snowmobile Trail, Operating on .....	7 & 10
Transfer of Ownership .....	9
Under the Influence, Operating .....	16-18
Unregistered ATV .....	8

#### **ACCESSING PRIVATE LAND — IT'S A PRIVILEGE.**

Of the 21+ million acres in Maine, approximately 10 million acres in Northern, Western, and Eastern Maine are owned and managed by various corporations or individuals. Practically all of these acres are open to the public for outdoor recreation.

We ALL owe these major landowners a big “thank you” for being able to use and enjoy their property. Many of these landowners have specific policies and rules on the operation of recreational vehicles on their lands. Please respect these landowners by abiding by any and all rules and policies.

No matter what outdoor recreational activity you participate in, take the time to ask permission of the landowners. Working with landowners is the most important way to ensure the future of outdoor recreation in Maine.

# MESSAGE FROM THE COMMISSIONER

The choice of registering your ATV in Maine is most appreciated. Maine is a great place to enjoy riding your ATV. However, with that privilege comes responsibilities.

Much of the land that you will access is privately owned. How you conduct yourself may well determine whether the sport survives or becomes highly restricted. By working together, we can make sure that the sport grows to its potential.



It is most important for riders to foster good relationships with landowners. Always seek permission before accessing someone else's property if it is not an established and recognized trail. Stay on defined trails while riding to prevent damage to adjoining land. Avoid aggressive starts and abrupt stops because it is dangerous to the operator and other riders and because those actions promote ruts that landowners really dislike.

Because the majority of land in Maine is privately owned, and in order to keep that land open, riders need to work with landowners to secure access, build and maintain trails, and foster trust. Never venture on a tree farm unless there is a defined trail and you have owner permission. The rugged profile of ATV tires will damage small trees and the privilege to operate on that piece of land will surely be taken away. Carry all trash out with you and some that careless riders have left behind.

Do your part to help continue the growth of ATV riding in Maine. Become involved by passing on your knowledge to a young rider, forming or joining a local riding club or working with this department to foster growth in the sport.

I wish you great riding as you travel through our state.

Roland D. Martin  
Commissioner

# MESSAGE FROM THE WARDEN SERVICE

As you may know, relatively new Maine ATV laws require ATV riders to seek permission before riding on another persons land. Game wardens are continuing to report a very high level of compliance with the new permission laws. That doesn't surprise us, as most people do their best to go by the rules, regardless of what outdoor activity they are involved in. Keep those new regulations regarding landowner permission in mind and you will be contributing to your sport by keeping access to private land open for you and others.

If you know of someone who is violating ATV laws intentionally, please report them to a game warden or other law enforcement officer. Many people are unaware of law changes. If you believe someone may not know the ATV rules, take a few minutes and explain them.

'ATV Maine' and the many ATV clubs that have been established around the state this year continue to do a great job in promoting rider responsibility and respect for private property. We encourage you to join a club and get involved locally in organizing, establishing approved trails, and assisting your sport.

Drinking and driving an ATV is not only illegal, it's dangerous. Heavy fines and serious injuries and death can result from illegally operating an ATV under the influence of liquor. Game Wardens will again this year be patrolling for intoxicated ATV drivers to remove them from the trails.

Have fun; obey the ATV laws, practice safe riding and rider responsibility. Organizing makes a big difference, so if you are an ATV enthusiast why not join an ATV club?

Thanks for enjoying Maine's outdoors on an All Terrain Vehicle.

MAINE WARDEN SERVICE





# MAINE ATV LAW SUMMARY

## Title 12, Chapter 933

**§13001. Definitions** As used in this subpart, unless the context otherwise indicates, the following terms have the following meanings.

1. **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.
2. **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.
3. **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 Conservation by rule pursuant to Title 5, chapter 375, subchapter 2.
4. **Dwelling.** "Dwelling" means any building used as a permanent residence or place of domicile.
5. **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, Bureau of Geology and Natural Areas, Maine Geological Survey, or zoned as a Wetland Protection Subdistrict, P-WL, by the Maine Land Use Regulation Commission.

6. **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.
7. **Operator.** "Operator" means the person who is in control or in charge of an ATV while it is in use.
8. **Owner.** "Owner" means: For the purposes of registration of an ATV, a person holding title to an ATV.
9. **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.

**§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 watercraft, snowmobile or ATV for which an original registration is required under this Title at the time and place of registration of that watercraft, snowmobile or 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**



# MAINE ATV LAW SUMMARY

## **prerequisite to registration**

1. **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. Nonresidents are exempt from sales or use tax on ATVs under Title 36, section 1760, subsection 25-A;

- 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 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 may not be construed as precluding 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. Certificate 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 937 or 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 937 or 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.

## **Title 12, Chapter 939**

**§13151. Application.** This chapter applies to the operation of ATVs in the State.

## **§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 over 9 years of age and under 16 years of age must successfully complete a training program 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 ATVs, the laws pertaining to ATVs, the effect of ATVs 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.

# MAINE ATV LAW SUMMARY

- 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 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 10 to under 16 years of age.** 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.
- 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.

- 2. Reciprocity.** 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

# MAINE ATV LAW SUMMARY

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.** The annual registration fee for an ATV is \$33 for a resident and \$68 for a nonresident.

**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 fee of \$1, and \$1 fee for sticker.

**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 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.** The registration number in the form of stickers issued by the commissioner must be clearly displayed on the front and rear of the vehicle.

**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.** A person may register an ATV owned by that person at the resident fee if they are serving in the armed forces and are permanently stationed at a military or naval post, station or base in the State. Certification from the commander of the naval post, station or base, that the person is permanently stationed at the post, station or base, is required. The spouse or child, if they permanently reside with the member, is also eligible.

**§13156-A. Findings.** The Legislature finds that activities associated with ATVs constitute a more intrusive use of private property open to recreational use by the public than do other recreational activities, and that abusive uses of ATVs puts access to private property for recreational use at risk.

**§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 ATV trails that are conspicuously posted or in areas open to ATVs by landowner policy. 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.

**2. Stop and identify requirement.** Persons

# MAINE ATV LAW SUMMARY

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

## **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 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; and

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

## **4. Unlawfully operating ATV on snow-mobile trail.** A person may not operate an ATV on a snowmobile trail financed in whole or in part with funds from the Snowmobile Trail Fund is governed by section 13107.

## **5. Unlawfully operating ATV on private road.** A person may not operate an ATV upon a private road after having been forbidden to do so by the owner's agent or a municipal official, either personally or by appropriate notices posted conspicuously on that road.

## **5-A. Operating 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" mean 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

# MAINE ATV LAW SUMMARY

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. 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. An ATV must travel in the same direction as motor vehicle traffic on a public way designated as an 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. A person who violates this subsection commits a Class D crime.
- 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 subsection commits a Class E crime.
- 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 subsection commits a Class E crime.
- 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

# MAINE ATV LAW SUMMARY

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 1/2 hour after sunset to 1/2 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.

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

**23. Repealed.**

**24. Unlawful operating 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



# MAINE ATV LAW SUMMARY

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) Modify the exhaust system of an ATV 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 level 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. Operating 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 Conservation. 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.

## **§13157-B. ATV accidents involving personal injury or death.**

### **1. Law enforcement officer notification.**

The operator of an ATV 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.

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

### **2. Provide information to injured party.**

The operator or a person acting on behalf of the operator of an ATV involved in an accident shall provide to an injured person or the operator or an occupant of any other ATV involved in the accident:

A. The operator's name and address; and  
B. The registration number of the operator's ATV.

**3. Render assistance.** The operator of an ATV 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 ac-



# MAINE ATV LAW SUMMARY

cident resulted in serious bodily injury, as defined in Title 17-A, section 2, subsection 23, or death, commits a Class C crime.

## **§13157-C. ATV accident reports.**

- 1. Report requirements.** A person shall give notice of an ATV accident within 72 hours to the commissioner if the person is:
  - A. The operator of an ATV 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 an ATV described in paragraph A; or
  - C. The owner of an ATV described in paragraph A having knowledge of the accident if the operator of the ATV is unknown.

- 2. Penalties.** The following penalties apply to violations of this section.

A. A person who violates this section commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

B. A person who violates this section 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.

## **§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, subsection 15, subsection 15-A, subsection

16, paragraph A and subsection 17, 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.

Each day a person violates this subsection, that person commits a Class E crime for which a minimum fine of \$50 and an amount equal to twice the applicable license fee must be imposed.

- 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 plate and certificate number.** The commissioner may issue temporary registration plates and certificates to a registered dealer who may, upon the sale or exchange of an ATV, issue a temporary registration plate and 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

# MAINE ATV LAW SUMMARY

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.

## **§10703. Administering chemical tests; test results; evidence; reporting; immunity**

- 1. 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 reasonable 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.)

# PENALTIES

**A person who violates the provisions below commits a Class D crime, for which a minimum fine or not less than \$1,000 must be adjudged.**

**§10651, #1-D. Failure to stop for law enforcement officer.** A person may not fail or refuse to stop any all-terrain vehicle on request or signal of any law enforcement officer in uniform whose duty it is to enforce ATV laws.

**§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.

**The following penalties are Class D crimes as well, with varying fine amounts.**

**Operating an ATV under the influence.** (For more detailed information on this provision, see Title 12, Section 10701 subsection 3, on this page).

**§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 bodily injury to another person.

**A person who violates the provisions below commits a Class E crime.**

**§13157-A, #11. Operating to endanger.**

A person may not operate an ATV so as to endanger any person or property.

**§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.

**§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 game or bars on another person's land; trample or destroy crops on another person's land; or

remove or destroy signs or posted notices.

**§10701. Operating ATV under the influence**

**1-A. Prohibition.** Prohibitions against operating under the influence are as follows  
A person may not operate or attempt to operate an ATV:

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

**3. 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:
- (1) Was tested as having a blood-alcohol level of 0.15% or more;
  - (2) 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
  - (3) Failed to submit to a chemical test to determine that person's blood-alcohol level or drug concentration,

# PENALTIES

requested by a law enforcement officer on the occasion that resulted in the conviction.

- B. In the case of a person having one previous conviction of a violation of subsection 1-A within the previous 6-year period, the fine may not be less than \$600. 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 or drug concentration test under section 10702, subsection 1, the fine may not be less than \$800. A conviction under this paragraph must include a period of incarceration of not less than 7 days, none of which may be suspended.
- C. In the case of a person having 2 or more previous convictions of violations of subsection 1-A within the previous 6-year period, the fine may not be less than \$1,000. 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 or drug concentration test under section 10702, subsection 1, the fine may not be less than \$1,300. A conviction under this paragraph must include a period of incarceration of not less than 30 days, none of which may be suspended.
- D. In addition to the penalties provided under paragraphs A to C, the court may order the defendant to participate in the alcohol and other drug education, evaluation and treatment programs for multiple offenders administered by the Department of Behavioral and Developmental Services, Office of Substance Abuse, as established in Title 5, chapter 521.
- E. The penalties provided under paragraphs B, C and D may not be suspended by the court.
- F. If the State pleads and proves that, while operating an all-terrain vehicle in violation of this section, the defendant in fact caused serious bodily injury as defined in Title 17-A, section 2,

subsection 23, to another person or in fact caused the death of another person, the sentencing class for the offenses in subsection 1-A is Class C. The minimum penalties specified in this subsection apply, unless a longer minimum period otherwise applies.

Any alternatives defined in subsection 1-A may be pleaded in the alternative. The State may, but is not required to, elect an alternative prior to submission to the fact finder.

For purposes of this subsection, a prior conviction has occurred within the 6-year period if the date of docket entry by the clerk of a judgment of conviction or adjudication is 6 years or less from the date of the new conduct that is penalized or for which the penalty is or may be enhanced.

In determining the appropriate sentence, the court shall consider the defendant's record of convictions for operating a all-terrain vehicle while under the influence of intoxicating liquor or drugs and for failure to comply with the duty to submit. The court may rely upon oral representations based on records maintained by the courts, by the Department of Public Safety, State Bureau of Identification; by the Secretary of State, including telecommunications of records maintained by the Secretary of State; or by the department. If the defendant disputes the accuracy of any representation concerning a conviction or adjudication, the court shall grant a continuance for the purposes of determining the accuracy of the record.

References in this Title to this subsection are deemed to refer to the juvenile crime stated in Title 15, section 3103, subsection 1, paragraph E and to the disposition, including a suspension, for that juvenile crime as provided in Title 15, section 3314, subsection 3, except as otherwise provided or when the context clearly requires otherwise.

**12 MRSA §10902 Suspension or revocation of or refusal to issue license or permit.** In addition to the penalties described above, the commissioner shall suspend all licenses and permits issued by the depart-

# PENALTIES

ment pursuant to this Part and may suspend any registration to any person convicted or adjudicated of:

- Abuse of another person's property as prohibited under section 13157, subsection 22;
- Operating an ATV under the influence, as prohibited under section 10701, subsection 1-A, paragraph D;
- Operating an ATV to endanger, as prohibited under section 13157, subsection 11;
- Reckless operation of an ATV, as prohibited under 13157, subsection 10;
- Failure or refusal to stop an ATV or attempting to elude an officer, as prohibited under section 10651, subsection 1, paragraphs C and D.

The commissioner shall reinstate licenses, permits and registrations that have been suspended after the suspension period has lapsed and only if the person satisfactorily completes a training program approved by the department relating to safety and ethics

in the operation of ATVs. The costs of this training program are borne by the person undertaking the training. The commissioner shall establish by rule the procedures for completion of mandatory training pursuant to this subsection. A person who satisfactorily completes a training program approved by the department is deemed to have satisfied the outdoor ethics training course requirements established under section 10903. The commissioner may suspend, for at least 90 days, 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 as prohibited under section 13157-A, subsection 24; or
- Operating an ATV on the land of another without permission, as prohibited under section 13157-A, subsection 1.

## ACCESS RIGHTS TO PUBLIC WATERS AND LAND

Although there are public rights of access to great ponds (natural lakes of 10 acres or more), most great ponds are encircled by private lands. People generally have the right to cross undeveloped land to get to a great pond, but do not have the right to fish from the shore. Similarly, the public does not have legal rights to use river banks for fishing, except from the custom or permissive access.

Since private landowners own approximately 94% of Maine's land area, the future of much of Maine's public recreation depends upon our relationship with private landowners now. The Landowner Relations Program within the Department of Inland Fisheries and Wildlife works on increasing and enhancing access to private property. Without that access, outdoor recreational opportunities would be quite limited.

We are finding through conversations with hundreds of landowners across the state, that all landowners want is to be asked for access to their land and thanked for its use. Access to private land can be lost because of the abuse and disrespect shown by a few, towards the landowners and their land.

The sporting public needs to help landowners in any way possible. Pick up trash left behind by someone else; correct the person who is doing something wrong; and most importantly, convey to the landowner how much you appreciate being able to use his or her land.

The Landowner Relations Program is funded by the proceeds from the Supersport License sales. Become a supporter of preserving access for now, and for future generations. Any license you may already possess may be upgraded to a Supersport License at any time.

# LANDOWNER LIABILITY

## Limited Liability For Recreational or Harvesting Activities Title 14 MRSA, §159-A

### 1. Definitions.

A. "Premises" shall mean improved and unimproved lands, private ways, any buildings or structures on those lands and waters standing on, flowing through or adjacent to those lands.

B. "Recreational or harvesting activities" means recreational activities conducted out-of-doors, including hunting, fishing, trapping, camping, environmental education and research, hiking, sight-seeing, operation of snow traveling and all-terrain vehicles, skiing, hang-gliding, dog sledding, equine activities, boating, sailing, canoeing, rafting or swimming or activities that involve harvesting or gathering 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 shall owe no 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 for 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 or an easement or occupant of the premises, owed a duty to keep the premises safe or to warn of danger.

5. Nothing in this section shall create a duty of care or ground of liability for injury to a person or property.

# LANDOWNER LIABILITY

6. 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.
7. A person who accesses property under this section is liable for any violations or infractions of state environmental laws. State agencies shall exercise due diligence in finding and prosecuting these violators.

## **Trespass Damages (14 MRSA, §7551B)**

Anyone who intentionally enters the land of another without permission and damages the property is liable to the owner in a civil action. Violations of this law will have the following results:

1. 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;
2. If the damage is unintentional, the person doing the damage is liable to the owner for the amount of the actual damage plus additional costs which includes attorney fees of the landowner;

## **LITTERING**

It is unlawful to dispose of litter anywhere in this State except in areas or receptacles designed for that purpose. (Title 17, §2264)

## **FIRE PERMITS**

Using fire outdoors often requires a permit. Check with town fire warden in organized towns and with forest rangers in unorganized territory. Burning debris outdoors without a permit is unlawful. Permits may be obtained from a municipal fire chief, town forest fire warden, or forest ranger.

# ATV GUIDELINES

See Title 14 §7551-B – 7552 for the complete law.

## **Bureau of Parks and Lands Chapter 15. General ATV Trail Guidelines**

### **Trail Design & Maintenance Classification.**

Established Treadway

**Class I — Two feet** for two wheel vehicles including dirt bikes, off-road bikes, fat cats, etc.

**Class II — Five feet** for three and four wheel vehicles 50 inches or less in width, dry registered weight of less than 750 pounds traveling on low pressure tires of 6 pounds or less designed to be straddled by the operator.

**Class III — Eight feet** for vehicles greater than 50 inches in width, greater than 750 pounds registered dry weight, traveling on Multi-wheels or tracks not limited to but including 4 x 4 trucks, dune buggies, coots and amphibious vehicles.

**PLEASE NOTE:** ATVS may be operated on gravel roads within public reserved lands that are marked with a 'SHARED USE' sign.

For more information call the Bureau of Parks and Lands at (207) 287-4958.



# TIPS FOR THE ATV RIDER

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.

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. The ATV Rider Course, a half-day hands-on training program, is available nationwide. Anyone who purchased a new ATV after December 30, 1986, and everyone in the purchaser's immediate family who is in the recommended age group for the ATV purchased, is entitled to take a training course at no additional charge. Others can take the training course

for a small fee. Individuals who purchased a new ATV after April 28, 1988, will be entitled to a \$50.00 incentive check upon completion of the course. Limit one incentive per ATV purchased. Ask an authorized ATV dealer for the details or call 1-800-887-2887 for training information. We recommend you take advantage of the free training program, and perform the exercises in this booklet.

## INTRODUCTION

If you are new to ATVs, you can look forward to lots of fun and excitement. An ATV can be ridden on many types of off-road conditions, but its capability depends on your riding experience and ability.

Knowing all you can about your ATV and the places you can ride is good preparation for safe and enjoyable riding. Remember, ATVs are intended for off-road use only. Never operate an ATV on public roads or paved surfaces. ATVs are not designed to be used on pavement and may be difficult to control. ATVs are different from other vehicles, as well as from one another. The following is a list of some of these differences among ATVs:

- There are three-wheeled and four-wheeled varieties of ATVs.
- Handling characteristics among ATVs vary depending upon their basic design and how they are equipped.
- Most ATVs have front and rear brakes, while some may only have a rear brake. Be sure to learn the recommended stopping techniques for your machine.
- There are ATVs with electric starters, kick starters, and pull starters.
- There are water-cooled ATVs and air-cooled ATVs.
- Some ATV transmissions have automatic clutches; some have hand operated clutches; and some transmissions are fully automatic.
- Some ATVs have a reverse gear.

# TIPS FOR THE ATV RIDER

- Most ATVs have solid drive axles and some have differentials.
- Some ATVs have two-wheel drive, and some have four-wheel drive.
- There are ATVs with chain drives or shaft drives.
- Most throttles are controlled by pushing a thumb lever next to the handgrip, others may be controlled by twisting a handgrip.
- Controls and their locations differ from one ATV model to another.

**Be Prepared...** You may be anxious to take a test run, but before you do, be sure you and your machine are ready. If you are not, the result can range from embarrassment to severe injuries.

**Protective Gear...** The nature of ATV riding demands that you wear protective clothing. Although complete protection is not possible, knowing what to wear and how to wear it can make you feel more comfortable when you ride and reduce the chance of injury. Never operate an ATV without an approved motorcycle helmet, eye protection, boots, gloves, long pants, and a long-sleeved shirt or jacket.

**Helmets...** Your helmet is the most important piece of protective gear for safe riding. A helmet can help prevent a serious head injury. There are a few basic tips to keep in mind when selecting a helmet. Select an approved helmet that meets or exceeds your state's safety standards and carries either the Department of Transportation (DOT) label, the American National Standards Institute label (ANSI z90.1), or the Snell Memorial Foundation label. Your helmet should fit snugly and be securely fastened. Full face helmets help protect your face as well as your head. Open face helmets are lighter and may be cooler, but should be used with mouth protection. Eye protection should be used with both types of helmets.

There is also a special time not to wear a helmet. When you stop to talk with landowners or other people you meet on the trails,

always take your helmet off. To some people your helmet is a mask and can be intimidating.

**Clothing...** Good gloves can help keep your hands from getting sore, tired, or cold, as well as offer protection in the event of a spill. Off-highway style gloves, available at ATV dealerships, are padded over the knuckles to help prevent bruising, and provide the best combination of protection and comfort. The recommended protective footwear is a pair of strong, over-the-calf boots with low heels to help prevent your feet from slipping off the footrests. Off-highway style boots offer the best protection for feet, ankles, and lower legs. It is important to protect your skin from scratches. A long-sleeved shirt or jersey and long pants are minimum requirements for rider protection. Off-highway riding gear such as off-highway pants with knee pads, jersey, and chest/shoulder protectors provide better protection. You can look stylish, ready for action, and still be well protected.

**Eye Protection...** You must be able to see clearly in order to ride safely. An object such as a rock, branch, or even a bug that hits you in the face can distract you. If you are hit in the eyes without proper protection, you can be blinded. Regular sunglasses do not provide proper protection while riding an ATV. A face shield or goggles will provide you more protection and should be:

- Free from scratches and bear the standard markings VESC8 (or V-8) or z87.1 in one corner, or should be made of a hard coated polycarbonate.
- Securely fastened.
- Well-ventilated to prevent fogging.

In addition, you may wish to use tinted eye protection for riding on bright days or yellow for overcast days. Always use clear eye protection for riding at night.

## PRE-RIDE INSPECTION

Inspecting the mechanical condition of your ATV before each ride is important to minimize the chance of being injured or stranded. This

# TIPS FOR THE ATV RIDER

also ensures long-term enjoyment of your ATV. Remember, you can ride farther in one hour than you can walk in a day. Your owner's manual will show you what equipment to check on your particular machine. Listed are the most common items to check:

## TIRES AND WHEELS

1. **Air pressure** — Always maintain the recommended tire pressure. Be sure that all tires are inflated to proper pressure. Check that tires on the left side of your ATV are inflated to the same pressure as the corresponding tire on the right side. If the tire pressure on one side is higher than the other side, the vehicle may pull to one side. Under inflated tires may also cause wheel damage when riding over bumpy terrain. Over-inflation may damage the tires. If the tires are over or underinflated, your ATV may not steer or handle properly. To measure pressure accurately (usually around 2 to 6 psi), you will need a low pressure gauge. Automotive tire gauges are not accurate for this use.
2. **Condition** — Check for cuts or gouges that could cause air leakage.
3. **Wheels** — To avoid loss of control or injury, make sure axle nuts are tightened and secured by cotter pins, as well as checking the tightness of the wheel lug nuts. Grasp the tire at the front and rear and try to rock it on its axle to detect worn out bearings or loose nuts. There should be no free play or slip as you rock the wheel.

## CONTROLS

1. **Throttle and other cables** — Make sure the throttle moves smoothly and snaps closed with the handlebars in any position. Check throttle operation while moving the handlebars from fully left to fully right. If your ATV is equipped with an adjustable throttle limiter, check to make sure the adjustment is appropriate for the rider, and that the adjustment is securely set. Check cables and controls for damage from a spill or accumulated dirt and mud, which may restrict full operation.

2. **Brakes** — Make sure the controls operate smoothly and are adjusted according to the instructions in the owner's manual. The controls should be positioned for easy reach. Your brakes are a crucial part of riding and they must always be in excellent working condition.

3. **Foot shifter** — Make sure the foot shifter is firmly attached and positioned for safe operation. It should not be so low that your toes are pointed downward at the ground or so high that shifting is awkward.

## LIGHTS AND SWITCHES

1. **Ignition switch (if equipped)** — Check the condition of the switch and make sure it works properly by switching it off and on during your warm-up period.
2. **Engine stop switch** — Be sure it turns off the engine.
3. **Lights (if equipped)** — Be sure all lights are working.

## OIL AND FUEL

1. Check oil level while the engine is off. You could get stranded because you are out of oil or fuel.
2. Always start your ride with a full tank of gas in case you get lost and need the extra fuel.
3. Check for fuel or oil leaks.

## CHAIN/DRIVESHAFT AND CHASSIS

1. **Chain** — Inspect your chain for proper adjustment and adequate lubrication. Check for wear.
2. **Driveshaft** — If your ATV is equipped with a driveshaft rather than a chain, check for oil leaks. Maintain the oil supply as outlined in your owner's manual.
3. **Nuts 'n bolts** — Rough terrain will loosen parts. Look and feel for loose parts while the engine is off. Shake handlebars, footrests, etc., before each ride and periodically check major fasteners with a wrench.

# TIPS FOR THE ATV RIDER

## TOOL KIT

After completing the pre-ride inspection, check to make sure you have an adequate tool kit in case you encounter any mechanical problems.

Carrying the right tools and equipment with you when you go riding is important for the safe enjoyment of your ATV riding experience. Examine the tool kit that came with your machine. You may want to add a few spare parts — a spark plug or two, perhaps some wire and tape, maybe a headlight bulb. Prepare for the unexpected, and carry what you need to handle any emergencies. Consider carrying a good strong tow rope. Off-road riding is hard on your ATV, so it is especially important to perform periodic maintenance as outlined in your owner's manual. Do not risk injury or vehicle breakdown due to lack of proper maintenance.

## LET'S PREPARE TO RIDE RIDING AREA

Be sure you have a large, flat, open practice area, free of obstacles and hazards, to use while you practice. Take a few minutes to review the rest of the riding tips in this booklet before you start your engine.

## STARTING PROCEDURE

Consult your owner's manual for the correct starting procedure.

- Check that the transmission is in **NEUTRAL**.
- Set **PARKING BRAKE**.
- Turn the **FUEL** valve on.
- Check that the engine stop switch is in the **RUN** or **ON** position.
- If the engine is cold, put the **CHOKE** in the **ON** position.

## LET'S START RIDING

- Always keep your feet on the footrests while riding to prevent injury.
- Be sure that the engine is sufficiently warmed up before you start riding.

- Apply the rear brake and shift into first gear.
- Release the parking brake.
- Release the rear brake and apply the throttle slowly.
- If the vehicle has a manual clutch, release it slowly. If the clutch is engaged too quickly, the ATV may move suddenly, causing you to lose control or fall off the ATV.

## SHIFTING GEARS

There are several types of transmissions on ATVs. Be certain you know how to operate the transmission of the ATV you are riding.

- Always close the throttle while shifting to prevent the front wheel(s) from lifting.
- Learn the sounds of your engine so you can shift to keep the engine speed in the most efficient range.
- If your ATV has a manual clutch, learn where the engagement zone is to prevent stalling, and to allow for smooth shifting.

## BRAKING

Your owner's manual describes your ATV's braking system. You may have both a front and rear brake, or a rear brake only. Of course, your braking technique will depend upon your ATV's braking system and the type of terrain you are riding on.

Several ATVs are currently available with 4-wheel drive. When operating in 4-wheel drive mode, keep in mind:

- Using only the front brake or only the rear brake has the effect of braking both the front and rear wheels.
- Abrupt deceleration from shifting to a lower gear (engine braking) will affect both the front and rear wheels.

## Some tips for braking are:

- Releasing the throttle.
- Shifting to a lower gear to use the engine to slow the vehicle.
- Applying both brakes equally (if equipped).

# TIPS FOR THE ATV RIDER

- Avoiding excessive braking while cornering.
- Applying brakes lightly on slippery surfaces.
- Shifting to a low gear when descending a hill and not riding the brake for long periods of time.
- Never ride past the limit of your visibility; if you cannot see what is on or over the crest of a hill, slow down until you have a clear view.
- The key to being a good hill rider is to keep your weight uphill at all times.

**SPECIAL NOTE:** If your ATV stalls while traveling up a hill, do not let it roll backwards. See the section on hills.

## PARKING

When parking your ATV you should:

- Shift into neutral and set the parking brake, or shift into low gear if you do not have a parking brake.
- Avoid parking on an incline.

## TURNING BASICS

Always check your owner's manual for the recommended turning technique for your ATV. The following basic turning technique applies to ATVs being ridden at low to moderate speeds.

- Move your body weight forward and to the inside of the turn.
- Turn the handlebars while looking in the direction of the turn.

As you increase speed or turn more sharply, move your body weight farther toward the inside of the turn to maintain your balance. If your ATV starts to tip while turning, lean your body farther into the turn while gradually reducing the throttle and making the turn wider.

## RIDING ON HILLS, GOING UP HILLS

Climbing hills improperly could cause loss of control or cause the ATV to overturn. Always follow procedures for your ATV contained in the owner's manual.

### **Remember:**

- Some hills are too steep for your abilities. Use your common sense. If the hill you are approaching looks too steep, it probably is.
- Some hills are just too steep for your ATV, regardless of your abilities.

### **When approaching an uphill climb, you should:**

- Keep your feet firmly on the footrests.
- Shift the ATV into a lower gear and speed up BEFORE climbing the hill so you can maintain momentum.
- When approaching the uphill climb, move up on the seat and lean forward, or stand and position your torso over the front wheel(s).

As you are climbing, you may need to shift to a lower gear to prevent lugging the engine or stalling. To shift into a lower gear on a hill, remember:

- Keep your body weight forward as you prepare to shift gears. For steeper hills, lean forward as much as possible.
- Shift quickly while momentarily releasing the throttle; this will help keep the front wheel(s) from lifting.

*If you do not have enough power to reach the top of the hill, but still have forward momentum and enough room to turn around safely:*

- Keep your weight uphill.
- Make a U-Turn before you lose speed.
- Proceed downhill in a lower gear, keeping your weight to the uphill side.

*If you are riding uphill and lose all forward momentum:*

- Keep your weight uphill, and apply the brakes to come to a stop. Never allow the ATV to roll backward.
- Apply the parking brake while keeping your weight uphill.
- Dismount on the uphill side or to a side if pointed straight uphill, and follow the procedure described in your owner's manual.

# TIPS FOR THE ATV RIDER

Do not attempt to ride backward down a hill. Should you begin rolling backward, do not apply the rear brake abruptly. Using the rear brake only or abruptly could cause the ATV to roll over backward.

If you begin rolling backwards follow these steps:

- Keep your weight uphill, and apply the front brake. If your ATV does not have a front brake, follow the procedure described in your owner's manual.
- When you have come to a complete stop, apply the rear brake. Then apply the parking brake and dismount on the uphill side. If pointed straight uphill, dismount to either side and follow the procedure described in your owner's manual.
- If the ATV continues to roll backward, dismount to the uphill side immediately.

## GOING DOWN HILLS

Always check the terrain carefully before you start down any hill. Choose a straight downhill path as much as possible, with a minimum of obstacles. Shift your weight to the rear and use a low gear. Follow the procedures described in your owner's manual for special braking techniques for going down hills.

When going downhill, remember to:

- Shift your weight to the rear (uphill).
- Keep speed low.
- Use gradual braking.
- Use a lower gear.
- Look ahead.

## TRAVERSING A SLOPE

Sometimes when a hill is steep it is necessary to climb it or descend it by traversing (going across a slope rather than directly up or down).

Traversing a slope requires additional attention. Avoid traversing slopes with excessively slippery, rough, or loose surfaces.

Here are some basic guidelines for traversing:

- Keep both feet firmly on the footrests.
- Lean your upper body uphill.
- When riding on soft terrain, you may need to turn your front wheel(s) gently uphill to keep your ATV on a straight line across the hill.
- If your ATV begins to tip, turn the front wheel(s) downhill if the terrain allows. If the terrain does not permit, dismount on the uphill side immediately.
- Avoid making sudden throttle changes.

## READING TERRAIN

You have to know the land you are riding on and what your machine will do in order to get the most out of the ride. Carefully choose the places you ride. Use existing trails. Stay away from terrain where you really do not belong, such as dangerous slopes and impassable swamps. Watch carefully for sharp bumps, holes, ruts, or obstacles.

An expert rider stays out of trouble by handling the ATV well and avoiding any risky situation. Learn to read the trail as you ride. An expert rider looks well ahead on the trail. Know what is coming up; be prepared to react long before you get there. Be constantly alert for hazards. Never operate an ATV at excessive speeds. Go at a speed which is proper for the terrain, visibility, operating conditions and your experience.

Always be careful when operating an ATV, especially when approaching hills, turns, obstacles, and when operating on unfamiliar terrain.

## RIDING DIFFERENT TERRAIN MUD AND WATER

Your ATV is equipped to ride through mud and shallow water, but you should avoid water crossings where you might damage streambeds and fish spawning grounds, or where you might cause erosion to the banks of a stream or creek. This precaution not only adds to your own personal safety and fun, but it preserves the environment for others to enjoy as well. If you are riding through

# TIPS FOR THE ATV RIDER

mud and water remember:

- Footrests may become slippery.
- Determine water depth before attempting a crossing; do not exceed the water depth specified in your owner's manual.
- Avoid fast flowing water.
- Be prepared to shift your weight in any direction to maintain balance.
- Watch for submerged obstacles.
- Test brakes after leaving water.

## SNOW

Riding on firm snow can be great fun. However, riding in soft snow, under the wrong conditions, can be damaging to the terrain. Ride only on firm snow or groomed trails and be sure you have the landowner's permission. Remember to:

- Keep alert to weather conditions.
- Know the weather forecast.
- Check with local law enforcement to be

sure ATVs are allowed on snowmobile trails before using them.

- Dress appropriately for the weather conditions.

# SAFE RIDING PRACTICES

## THE EFFECTS OF ALCOHOL, DRUGS, AND FATIGUE

Riding an ATV can be more demanding than driving a car. You have to be in good physical and mental condition to ride safely. Three factors that keep ATV riders from being in top shape for riding are alcohol, drugs, and fatigue. Each of these can affect your ability and your decision-making process.

**Alcohol...** Drinking and riding can be fatal. Consumer Product Safety Commission studies show that thirty percent (30%) of all ATV riders killed in ATV accidents had been drinking. Fourteen percent (14%) of all reported accidents with injuries indicated alcohol consumption by the operator.

Alcohol affects all the skills you need to ride safely. The amount of alcohol in your body is referred to as the "Blood Alcohol Concentra-

tion" or "BAC." Most states consider people intoxicated at a BAC of between .08 to .10 percent. Physical and mental reactions usually become impaired at a BAC of .05 percent. **ALCOHOL and ATVs DO NOT MIX.**

**Other Drugs...** Almost any drug puts an ATV rider at risk. Many over-the-counter prescription and illegal drugs have side effects much like alcohol, which affect the skills you need to ride safely. Depressant drugs such as tranquilizers and barbiturates have effects similar to alcohol on body systems. Even cold tablets and allergy pills can make you feel weak, dizzy, and drowsy as well as affecting your vision, coordination, and judgment.

Marijuana decreases your ability to see at night and recover from headlight glare. Marijuana users cannot react as quickly as usual,



# SAFE RIDING PRACTICES

nor operate the ATV as well. Amphetamines or cocaine, while they may increase your attentiveness temporarily, bring on extreme fatigue once they wear off. Furthermore, they produce a mild euphoria, which often causes riders to take foolish risks. Never consume drugs before or while operating an ATV.

**Fatigue...** Riding an ATV is more tiring than driving a car. Remember that fatigue can affect your ability to control your ATV. Here are some things you can do to keep from getting too tired:

- Protect yourself from the elements. Wind, cold, rain, and heat make you tire more quickly. Dress appropriately for the conditions.
- Limit your distance and riding time until you know your limits.
- Take frequent rest breaks. Stop and get off the ATV. No one should go more than one hour without pulling over, stopping, getting off the ATV, and walking around.

## KNOW THE LAWS

The laws and regulations that control how and where to use your ATV are important for you to be aware of and to follow. They are established for your protection, as well as everyone else's. By controlling less responsible riders, the laws and regulations allow others to enjoy the sport. They also help protect the land you ride on and the people who own it. Dealers and ATV clubs can often provide you with a summary of local laws, or direct you to game wardens, or other sources who will be glad to help you.

### YOU AND THE REST OF THE WORLD

There is one fundamental factor that controls your riding — access to land. Developing and maintaining riding opportunities means getting along with the rest of the world — private landowners, public land managers, and people you meet on the trails. The better you get along with these people, the easier it will be to locate and preserve good riding areas.

### TREAD Lightly!

Riding behavior that harms the land is self-defeating and irresponsible. Learn to protect and preserve your riding areas. In other words, TREAD Lightly!

- Travel only where motorized vehicles are permitted.

- Respect the rights of hikers, skiers, campers and others to enjoy their activities undisturbed.
- Educate yourself by obtaining travel maps and regulations from public agencies; comply with signs and barriers; and ask owners' permission to cross private property.
- Avoid streams, lake shores, meadows, muddy roads and trails, steep hillsides, and wildlife and livestock.
- Drive (ride) responsibly to protect the environment and preserve opportunities to enjoy your vehicle on wild lands.

Here are some tips to help you TREAD Lightly!

- Obtain a Travel Map from the Forest Service or from other public land agencies. Learn the rules and follow them.
- Keep your ATV quiet. Do not make your exhaust system noisier — there is nothing people dislike more than a loud off-highway vehicle. Do not tamper with the spark arrester.
- Avoid running over young trees, shrubs, and grasses. You will damage or kill them.
- Stay off soft, wet roads and trails readily torn up by vehicles (particularly during hunting seasons). Repairing the damage is

# KNOW THE LAWS

expensive.

- Travel around meadows, steep hillsides, stream banks, and lakeshores. They are easily scarred by spinning wheels.
- Resist the urge to blaze a new road or trail, or to cut across switchbacks.
- Be courteous when you meet others on the trail. Pull to the side and yield to horseback riders or hikers. It is best to shut off the engine whenever you are near horses — a panicked horse is a danger to you and its rider.
- Stay away from wild animals that are rearing their young or suffering from food shortage.
- Obey gate closures and regulatory signs. Remember, vandalism costs tax dollars.

- Stay out of Designated Wilderness areas. They are closed to all vehicles, even bicycles. Know where the boundaries are.
- Get permission to travel across private land and respect landowner rights. Future opportunities for exciting travel with your ATV are in your hands, so TREAD Lightly!

How do you find good places to ride? You can start by talking to your dealer and asking questions about:

- Where do other customers ride?
  - Who owns riding land?
  - What are the regulations for use?
- ATV clubs provide a way of working together to find good riding areas.

The Consumer Product Safety Commission has concluded that All Terrain Vehicles (ATVs) may present a risk of **death or severe injury** in certain circumstances. While accidents may occur for many reasons:

- Over 926 people, including many children, have died in accidents associated with ATVs since 1991.
- Many people have become severely paralyzed or suffered severe internal injuries as a result of accidents associated with ATVs.
- Every month thousands of people are treated in hospital emergency rooms for injuries received while riding an ATV. You should be aware that **an ATV is not a toy**

**and can be hazardous to operate.** An ATV handles differently from other vehicles, including motorcycles and cars. A collision or roll-over can occur quickly, even during routine maneuvers such as turning and driving on hills and over obstacles, if you fail to take proper precautions.

ATV Safety Institute  
Specialty Vehicle Institute of America  
2 Jenner Street, Suite #150  
Irvine, CA 92618-3812

(949) 727-3727  
[www.atvsafety.org](http://www.atvsafety.org)

© Copyright 1992  
Specialty Vehicle Institute of America (SVIA)

# EXPANDING YOUR HORIZONS

## VIDEOS AND OTHER PUBLICATIONS AVAILABLE FROM ASI

- Parents, Youngsters, and ATVs
- How to Form an ATV Club
- A Guide to Off-Highway Riding video — This 18-minute video will illustrate how to be a safe, responsible rider while enjoying the freedom of off-highway riding.
- On Target, Off Road video — Six-time national motocross champion Bob “Hurricane” Hannah takes viewers from the mountains to the desert in pursuit of a better understanding of the sport of ATV riding in this 19 minute video.

Single copies of the printed publications are available free by contacting:  
ASI, 2 Jenner Street, Suite 150,  
Irvine, CA 92618-3812,  
(714)727-3727.

To order a video or large quantities of the publications, contact ASI for prices.

## ENROLL IN AN ATV RIDER COURSE CALL 1-800-887-2887

The information contained in this publication is offered for the benefit of those who have an interest in riding all-terrain vehicles. The information has been compiled from publications, interviews, and observations of individuals familiar with the use of all-terrain vehicles and education. Although the ATV

Safety Institute will continue to research, evaluate, and publish responsible view points on the subject, it disclaims any liability for the views expressed herein.

The ATV Safety Institute is a division of the Specialty Vehicle Institute of America, a national nonprofit association founded by the major U.S. distributors of all-terrain vehicles. Supporting members are:  
American Honda Motor Co., Inc.;  
Yamaha Motor Corporation, U.S.A.; American Suzuki Motor Corporation; Kawasaki Motors Corporation, U.S.A.; and Arctic Cat, Inc.

# RECREATIONAL SAFETY DIVISION

8 Federal Street  
Augusta, Maine 04330

207-287-5220

**Mailing Address:** 284 State St., 41 SHS, Augusta, ME 04333-0041

Do you need to take a safety course to operate an ATV? Maine law requires anyone under 16 years of age to complete a course 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.

## REGIONAL SAFETY COORDINATORS

Kevin Quist, Caribou	551-2393	No. Aroostook
Mark Kingsbury, Dedham	843-5158	Knox/Waldo, Hancock (Assist)
Perry Edwards, South Paris	743-6290	Oxford/No. Androscoggin
Michael Feeney, Fayette	685-3058	Kennebec
Vacant		Cumberland/So. Androscoggin
Harland Hitchings, Princeton	796-2282	Washington/Hancock
Bruce Martin, Biddeford	284-4692	York
Reginald Read, Phippsburg	442-8421	Sagadahoc/Lincoln
Rick Rogers, Phillips	639-5421	Somerset/Franklin
Clinton Gaskill, Jr., Passadumkeag	732-4300	Penobscot/Piscataquis/No. Somerset
Richard Tidd, Houlton	532-5658	So. Aroostook/No. Penobscot

# ATV OPERATION GUIDE

## Do's

1. Always seek landowner permission before operating your ATV.
2. Respect private property you have permission to operate on and operate your ATV so as not to cause damage to the property.
3. Become a member of a local ATV club. If there is not a club in your area, help in the forming of one.
4. Take an ATV education course and then become a certified instructor so that you can help pass the education along to others.
5. Become involved and help in the creation of trails. Seeking and receiving landowner permission before a trail is developed is a must.
6. Stay on designated trails at all times. Straying from the trail can jeopardize landowner permission for the trail in the future.
7. Avoid operating an ATV when conditions are such that excessive damage will be done which in turn may lead to erosion problems. (Example: mud season Spring and Fall)

## Don'ts

1. Do not operate an ATV on a maintained snowmobile trail any time of the year except when landowner permission has been given or it is also a designated ATV trail.
2. Do not operate an ATV on a private road without landowner permission.
3. Do not operate an ATV on, along or adjacent to a railroad track or within the right of way of a railroad. Abandoned railroad right of ways that have had the tracks removed may be used if the use has been approved by the landowner.
4. Do not operate an ATV within 200 feet of any dwelling, hospital, nursing home, convalescent home or church.
5. Do not operate an ATV on any salt marsh, intertidal zone, marine sand beach, sand dunes, cemetery or burial place, alpine tundra or unfrozen freshwater bog or marsh.
6. Do not operate an ATV on any croplands or pasture land or tree plantations.

## Ethics are 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 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 courtesy — it's the right thing to do.

For more information call Sergeant Chris Simmons at (207) 287-8091  
or log onto [www.maine.gov/ifw](http://www.maine.gov/ifw)