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Summary of All Terrain Vehicle Laws and Tips for the ATV Rider, October 1996

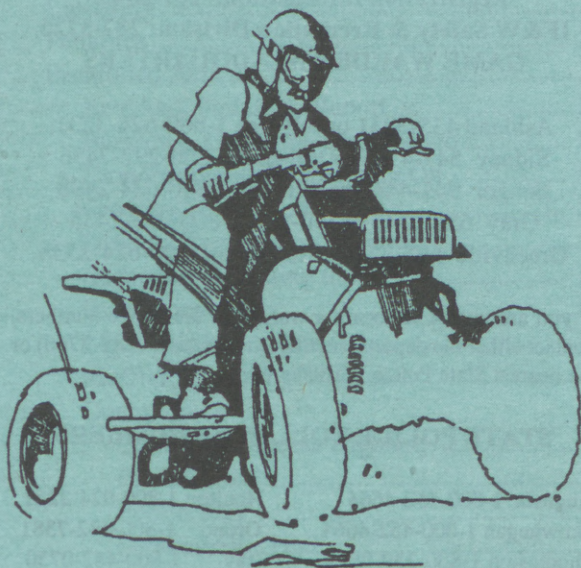
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SUMMARY OF MAINE ALL-TERRAIN VEHICLE LAWS



**and
Tips for the ATV Rider
Maine Department
of
Inland Fisheries & Wildlife
284 State Street
Station # 41
Augusta, ME 04333**

(October 1996)

ATTENTION

Please remember, you have no right - stated or implied - to operate your ATV on land of another. You should always ask permission before engaging in any outdoor activity on land you do not own or do not have permission to use.

PHONE NUMBERS YOU MIGHT NEED

Registration Information: 287-2043

IF&W Safety & Recreation Division: 287-5220

GAME WARDEN HEADQUARTERS

Ashland 435-3231 or toll-free 1-800-624-3231

Sidney 547-4145 or toll-free 1-800-292-7436

Bangor 941-4440 or toll-free 1-800-624-2498

Gray 657-2345 or toll-free 1-800-295-2435

Greenville 695-3756 or toll-free 1-800-624-2538

If you are unable to locate a warden at the above numbers, contact either the department office in Augusta (287-2766) or the nearest State Police Barracks.

STATE POLICE TOLL-FREE NUMBERS

Augusta 1-800-452-4664

Houlton 1-800-924-2261

Skowhegan 1-800-452-4664

Orono 1-800-432-7381

Thomaston 1-800-339-0819

Gray 1-800-482-0730

(The above numbers may be used to report a fire, ONLY if a fire warden or forest ranger cannot be reached).

ALERT US

Poachers Are Thieves - Help us Catch Them

Anti-Poaching Hot Line:

1-800-ALERT US (253-7887)

The Department of Inland Fisheries and Wildlife receives Federal funds from the U.S. Department of the Interior. Accordingly, all Department programs and activities must be operated free from discrimination in regard to race, color, national origin, age or handicap. Any person who believes that he or she has been discriminated against should write to The Office of Equal Opportunity, U.S. Department of the Interior, Washington, D.C. 20240.

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MAINE ATV LAW SUMMARY
Title 12 - Chapter 715

DEFINITIONS (§7851)

1. **"Accompanied by an adult"** means within visual and voice contact and under the effective control of a child's parent or guardian or another person 21 years of age or older.
2. **"All-terrain vehicle" (ATV)** means a motor driven, off-road, recreational vehicle capable of cross-country travel on land, snow, ice, marsh, swampland or other natural terrain. It includes, but is not limited to, a multi-track, multi-wheel 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 subchapter, "all-terrain vehicle" does not include an automobile or motor truck as defined in Title 29; a snowmobile; an airmobile; a construction or logging vehicle used in performance of its common functions; a farm vehicle used for farming purposes; a vehicle used exclusively for emergency, military, law enforcement or fire control purposes.
3. **"Alpine tundra"** means high elevation treeless areas beyond timberline which are dominated by low herbaceous or shrubby vegetation and, specifically, areas which are designated as alpine tundra by the Department of Conservation.
4. **"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, Maine Geological Survey, or zoned as a Wetland Protection Subdistrict, by the Maine Land Use Regulation Commission.
5. **"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.
6. **"Owner",** for the purposes of registration, means any person holding title to an ATV.

LICENSE AND TRAINING (§7853)

No operator's license is required for the operation of an ATV, except as required by Title 29-A.

A person under 16 years of age is required to successfully complete a training program approved by the department prior to operating an ATV on any land other than the land on which that person is domiciled or land owned or leased by that person's parent or guardian. The training program shall include instruction on the safe operation of ATV's, the laws pertaining to ATV's, the effect of ATV's on the environment and ways to minimize that effect, courtesy to landowners and other recreationists and other materials as determined by the department.

No person less than 10 years of age may operate an ATV, except on the land on which that person is domiciled or land owned by that person's parent or guardian.

REGISTRATION (§7854)

The annual registration fee for an ATV is \$12.

The ATV Recreational Management Fund of the Department of Conservation receives \$3.85 from each registration.

The commissioner, or an agent designated by the commissioner, may register and assign a registration number to any ATV upon application and payment of an annual fee by the owner. **The registration number shall be clearly displayed on the front and rear of the vehicle.** A registration shall be valid for one year commencing July 1st of each year.

- The registration certificate shall be subject to inspection by any law enforcement officer on demand.
- The registrant shall notify the commissioner if an ATV is destroyed, abandoned, stolen or permanently removed from this State.

Temporary registrations issued by local agents (other than renewals) shall be valid for 90 days; temporary registration plates shall be displayed on the front and rear of the machine in a clearly visible manner until the permanent registration is issued.

ATV's registered with the Secretary of State for farm use under the provisions of Title 29-A, Section 501, subsection 1, paragraph E.(1), do not have to be registered by IF&W.

Agents may charge a service fee of not more than \$1 for each ATV registration issued and this service fee shall be retained by the agent.

The holder of any registration certificate issued under this section may obtain a duplicate from the commissioner upon application and payment of a fee of \$1.

Whoever transfers the ownership or discontinues the use of a registered ATV shall, within 10 days, properly sign the registration certificate, indicating the disposition of the ATV, and return the certificate to the commissioner.

An ATV 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 ATV for a fee of \$2 and the registration certificate shall be valid for the remainder of the registration year for which the previous ATV had been registered.

Whenever there is a change of ownership of an ATV for which a registration has previously been issued, the new owner shall apply for a new registration certificate and shall pay the regular \$12 fee.

RECIPROCITY

Reciprocity shall be allowed to nonresidents from all states, provinces, countries or districts which allow similar privileges to residents of this State, provided that they are covered by a valid registration from that state, province, country or district.

If the ATV is owned by a nonresident but is primarily operated by a Maine resident, it shall be registered under this section.

Nothing in this subsection may be construed to authorize the operation of any ATV described in any manner contrary to this subchapter.

COLLECTION OF USE TAX (§§7854-A-7854- C)

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, in respect to any ATV for which an original registration (any registration other than a renewal by the same owner) is required under this Title at the time and place of registration of that ATV.

An application for registration may not be granted in respect to any ATV the sale or use of which may be subject to tax under Title 36, chapters 211 to 225, except in the case of a renewal of registration by the same owner, until one of the following conditions has been satisfied by the applicant:

1. Submitted a dealers' certificate showing either that the sales tax due in respect to the ATV in question has been collected by the dealer or that the sale of the ATV is exempt from or otherwise not subject to tax under Title 36, chapters 211 to 225;
2. Properly executed and signed a use tax certificate and paid the amount of tax shown in the certificate to be due; or
3. Properly executed and signed a use tax certificate showing that the sale or use of the ATV in question is exempt from or otherwise not subject to tax under Title 36, chapters 211 to 225.

DEALER'S REGISTRATION AND LICENSE (\$7855)

Any person who is in the business of selling ATV's in the State shall register as a dealer and secure a dealer's license from the commissioner. Dealers so registered and licensed need not register individual ATV's.

The fee for a dealer's license is \$15 /year from each July 1st.

Any dealer licensed under Title 29-A, Section 954, sub-§2 will not be required to pay the \$15 license fee.

Dealer's plates shall be provided and obtained as follows:

- A. Each registered dealer may receive dealer's number plates for a \$5 fee for each plate. [Dealers may obtain up to two plates if they sold fewer than ten vehicles in the previous 12 months, up to three plates if they sold ten or more but less than 20, or up to four plates if they sold more than 20. IF&W Reg. 12.03]

- B. Replacement for lost or stolen plates may be obtained (after notifying the commissioner) for a fee of \$5 for each plate.

The commissioner may issue temporary registration plates and certificates to registered dealers who may, upon the sale or exchange of an ATV, issue them to new owners, in order to allow them to operate ATV's for a period of 20 consecutive days only after the date of sale in lieu of a permanent number as required by this subchapter. The fee for each temporary registration is \$1.

Dealers shall display their 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.

Any 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 shall 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.

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.

OPERATING ON LAND OF ANOTHER (§7856).

This subchapter is in no way to be construed as giving license or permission to cross or go on the property of another.

Any person operating an ATV upon the land of another shall stop and identify himself upon the request of the landowner or his duly authorized representative. Any person in violation shall be held accountable to the owner under existing laws and the penalty provided in Title 12, section 7901.

PROHIBITED ACTS (§7857)

1. **Operating an unregistered ATV.** A person is guilty, except as provided in subsection 24, paragraphs A and B, of operating an unregistered ATV, if he operates an ATV which is not registered in accordance with section 7854.

- 1-A. Display of registration numbers.** Every new ATV sold in Maine shall have a 3 1/2" x 6" space provided on the front and rear of the machine, as high above the tires as possible, for the vertical display of the registration numbers.
- 2. Operating an ATV upon a controlled access highway.** A person is guilty, except as provided in subsection 24, paragraph C, of operating an ATV upon a controlled access highway, if he operates an ATV upon a controlled access highway or within the right-of-way limits of a controlled access highway.
- 3. Unlawfully operating an ATV on a snowmobile trail.** A person is guilty of unlawfully operating a vehicle on a snowmobile trail, if he operates any 4-wheel drive vehicle, dune buggy, ATV, motorcycle or any other motor vehicle, other than a snowmobile and appurtenant equipment, on snowmobile trails which are financed in whole or in part with funds from the Snowmobile Trail Fund, unless that use has been authorized by the landowner or his agent, or unless the use is necessitated by an emergency involving safety of persons or property.
- 4. Unlawfully operating an ATV on a private road.** A person is guilty of unlawfully operating an ATV on a private road, if he operates an ATV upon any private road after having been forbidden to do so by the owner thereof, the owner's agent or a municipal official, either personally or by appropriate notices posted conspicuously on that road.
- 5. Operating an ATV on a public way.** A person is guilty, except as provided in subsection 24, paragraph D, of operating an ATV on a public way, if he operates an ATV upon any portion of a public way maintained or utilized for the operation of conventional motor vehicles or upon the sidewalks of any public way. This subsection does not apply to ATV's registered with the Secretary of State under Title 29-A.
- 6. Failing to stop an ATV before entering a public way.** A person is guilty of failing to stop an ATV before entering a public way, if he fails to bring an ATV to a complete stop before entering a public way.
- 7. Failing to yield right-of-way while operating an ATV.** A person is guilty of failing to yield the right-of-way while

operating an ATV, if he fails to yield the right-of-way to all other types of vehicular traffic while operating an ATV on a public way.

8. Crossing a closed bridge, culvert, overpass or underpass with an ATV. A person is guilty of crossing a closed bridge, culvert, overpass or underpass with an ATV, if he crosses with an ATV a bridge, culvert, overpass or underpass closed to ATV's by the Commissioner of Transportation. The commissioner may, following a public hearing, prohibit the crossing of an individual bridge, culvert, overpass or underpass, if he determines that that crossing or use of the public way is hazardous. Any bridge, culvert, overpass or underpass closed by the commissioner shall be posted by appropriate notices.

9. Reckless operating on an ATV. A person is guilty of reckless operation of an ATV, if he operates any ATV in such a way as to recklessly create a substantial risk of serious bodily injury to another person.

10. Operating an ATV under the influence or with excessive blood-alcohol level. A person commits the crime of operating an ATV while under the influence of intoxicating liquor or drugs if that person operates or attempts to operate any ATV while under the influence of intoxicating liquor or drugs or a combination of liquor and drugs; or, for a person 21 years of age or older, while having 0.08% or more by weight of alcohol in that person's blood; or, for a person less than 21 years of age, while having any amount of alcohol in the blood. Operating an ATV while under the influence of intoxicating liquor or drugs is a Class D crime.

10-A. Failure to comply with duty to submit. A person is guilty of failure to comply with the duty to submit to and complete a blood-alcohol or drug concentration test under section 7860 if that person refuses to submit to or fails to complete a blood-alcohol or drug concentration test or both when requested to do so by a law enforcement officer who has probable cause to believe that the person operated or attempted to operate an ATV while under the influence of intoxicating liquor.

11. Operating an ATV to endanger. A person is guilty of operating an ATV to endanger, if he operates any ATV so as to endanger any person or property.

12. Operating an ATV at greater than reasonable and prudent speed. A person is guilty of operating an ATV at greater than a reasonable and prudent speed, if he operates any ATV except at a reasonable and prudent speed for the existing conditions.

13. Unlawfully operating an ATV while under age. A person is guilty of unlawfully operating an ATV while under age, if

- A. That person is under the age of 10 years;
- B. That person is under the age of 15 years and operates an ATV across any public way maintained for travel;
- C. That person is under the age of 15 years and operates an ATV while unaccompanied by an adult.

Notwithstanding this subsection, persons over the age of 12 years, who have successfully completed a training course approved by the department pursuant to section 7853, may cross public ways as permitted under subsection 24, paragraph D, subparagraph (1), provided that they are accompanied by an adult.

A person is not guilty of unlawfully operating an ATV while under age if that person is operating on land which is owned by the parent or guardian of the operator.

13-A. Operating an ATV without a certificate of training.

A person is guilty, except as provided in subsection 24, paragraph E, of operating an ATV without a certificate of training, if that person is under 16 years of age and operates an ATV without having successfully completed a training course approved by the department pursuant to section 7853.

13-B. Operating an ATV without protective headgear.

Notwithstanding Title 29-A, section 2083, a person is guilty of operating an ATV without protective headgear, if he is under 18 years of age and operates an ATV without protective headgear (must conform 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).

13-C. Carrying a passenger on an ATV without headgear.

Notwithstanding Title 29-A, §2083, a person is guilty of carrying a passenger on an ATV without protective head-

- B. At least one lamp mounted on the rear capable of displaying a red light which shall be visible at a distance of at least 100 feet behind the ATV.
- C. Repealed.
- D. Every ATV, except 2-wheel off-road motorcycles, must have mounted on the rear at least one brake light capable of displaying a red light when the brakes are applied that is visible for at least 100 feet.

17. Failure to use ATV lights. A person is guilty, except as provided in subsection 24, paragraph B, of failure to use lights, if he fails to use the lights required under subsection 16 during the period from 1/2 hour after sunset to 1/2 hour before sunrise; and 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 an ATV on railroad tracks. Except as provided in subsection 24, paragraph E-2, a person is guilty of unlawfully operating an ATV on railroad tracks if that person:

- A. Operates any ATV along or adjacent and parallel to the tracks of any railroad within the limits of any railroad right-of-way without written permission from the railroad owning the right-of-way; or
- B. Operates any ATV across the tracks of any 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.

19. Repealed.

20. Operating too close to certain buildings. A person is guilty, except as provided in subsection 24, paragraph F of operating too close to a dwelling, hospital, nursing home, convalescent home or church, if he operates an ATV within 200 feet of any of those buildings.

21. Unlawfully permitting operation. A person is guilty of unlawfully permitting operation of an ATV, if he owns an ATV which is operated by another person in violation of any section of this subchapter. A person is guilty of unlawfully permitting operation of an ATV, if he is the parent or guardian responsible for the care of a minor

gear, if that person carries a passenger under 18 years of age on an ATV and the passenger is not wearing protective headgear.

14. Permitting an unaccompanied child to operate an ATV. A person is guilty, except as provided in subsection 24, paragraph E, of permitting an unaccompanied child to operate an ATV, if he permits a child under 15 years of age to operate any ATV, unless he is accompanied by an adult.

14-A. Permitting child under 10 years to operate ATV. A person is guilty, except as provided in sub-§ 24, of permitting a child under the age of 10 to operate an ATV, if that person permits a child under the age of 10 to operate an ATV.

15. Operating an ATV without a muffler. A person is guilty, except as provided in subsection 24, paragraph B, of operating an ATV without a muffler, if that person operates any 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.

A. Each ATV must meet noise emission standards of the United States Environmental Protection Agency and in no case exceed 82 decibels of sound pressure level at 50 feet on the "A" scale, as measured by the SAE standards J-192.

B. Each ATV must be equipped with a working spark arrester.

C. No person may modify the exhaust system of any ATV in any manner which will increase the noise emitted above the emission standard provided in paragraph A.

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.

16. Operating an ATV with insufficient lights. A person is guilty, except as provided in subsection 24, paragraphs B and E-1, of operating an ATV with insufficient lights, if he operates an ATV which is not equipped as follows:

A. At least one headlight mounted on the front capable of casting a white beam for a distance of at least 100 feet directly ahead of the ATV.

under 18 years of age who operates an ATV in violation of this subchapter.

22. Failure to report accident. A person is guilty of failure to report an ATV accident, if that person

A. Is the operator of an ATV involved in any accident resulting in injuries requiring the services of a physician, in death of any person or in property damage to the estimated amount of \$300 or more; some person acting for such an operator; or the owner of the involved ATV having knowledge of the accident, should the operator of the ATV be unknown; and

B. Fails to give notice of the accident by the quickest means of communication, to a law enforcement officer available nearest to the place where the accident occurred.

22-A. Operating an ATV in a prohibited area. A person is guilty of operating an ATV in a prohibited area, if that person operates an ATV on a salt marsh, intertidal zone, marine sand beach, sand dune or any cemetery, burial place or burying ground or if that person operates an ATV on alpine tundra or on a freshwater marsh or bog, other than a trail designated for ATV use by the Department of Conservation, when the ground is not frozen and sufficiently covered with snow to prevent direct damage to the vegetation.

23. Operating an ATV on crop land or pastureland. A person is guilty of operating an ATV on crop land or pastureland, if he operates an ATV on any crop land or pastureland without the permission of the owner or lessee. As used in this subsection, crop land means acreage in tillage rotation, land being cropped and land in bush fruits. Pastureland means acreage devoted to the production of forage plants used for animal production.

24. Exceptions. The following exceptions apply to an ATV:

A. Notwithstanding the provisions of subsection 1;

(1) No registration is required for an ATV operated on land on which the owner lives or on lands on which he is domiciled, provided that the ATV is not operated elsewhere within the jurisdiction of this State;

- (2) No registration is required for an ATV operated by a commercial ski area for the purpose of packing snow or for rescue operation thereon, unless the ATV is required to cross a public way during that operation; and
- (3) ATV's owned and operated in this State by the Federal Government, the State or political subdivision of the State shall be exempt from registration fees, but shall be registered and required to display numbers.

B. Notwithstanding subsections 1, 15, 16 and 17, ATV's used exclusively for scheduled racing meets and operated solely on predefined race courses are exempt from the provisions of this subchapter concerning registration, mufflers and lights during the time of operation at these meets and at all pre-race practice at the location of the meet.

C. Notwithstanding the provisions of subsection 2:

- (1) Properly registered ATV's 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.

D. Notwithstanding the provisions of subsection 5:

- (1) Properly registered ATV's may operate on a public way only the distance necessary, but in no case to exceed 300 yards on the extreme right of the traveled way for the purpose of crossing, as directly as possible, a public way, sidewalk or culvert.
- (2) Properly registered ATV's may operate on a public way only the distance necessary, but in no case to exceed 500 yards, on the extreme right of the traveled way for the sole purpose of crossing, as directly as possible, a bridge, overpass or underpass, provided that that operation can be made in safety and that it does not interfere with traffic approaching from either direction on the public way;
- (3) ATV's may operate on any portion of public ways when the public way has been closed in accordance with Title 23, section 2953;
- (4) ATV's may operate on a public way which is not maintained or utilized for the operation of conventional motor vehicles, except that operation on the left

side of the way shall be prohibited during the hours from sunset to sunrise;

- (5) ATV's 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; and
- (6) ATV's 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.
- (7) An ATV may be operated on a public way on the extreme right of the travelled way by a law enforcement officer for the sole purpose of travelling between the place where the ATV is usually stored and an area to be patrolled by the law enforcement officer.

E. Notwithstanding subsections 13, 13-A, and 14, those subsections do not apply on land which is owned by the parent or guardian of the operator.

E-1. Notwithstanding subsection 16, ATV's manufactured prior to January 1, 1991, without a headlight or taillight are exempt from the provisions of that subsection while being operated between the hours of sunrise and sunset.

E-2. Notwithstanding subsection 18, a person is not guilty of operating an all-terrain vehicle on railroad tracks if he is operating within the right-of-way of a portion of railroad line which has been officially abandoned under the authority of the Interstate Commerce Commission.

F. Notwithstanding subsection 20, that subsection does not apply in the following situations:

- (1) When operating on public ways in accordance with sub-§§ 5, 6, 7 and 8 and sub-§ 24, paragraph C;
- (2) When operating on the frozen surface of any body of water; and
- (3) When operating on land which the operator owns or is permitted to use.

(NOTE: Only the Military Base issued registration is required when riding on the land owned by the Federal government. However, state, county or town owned roads pass through most Bases and a State Registration is required when crossing such roads.)

LIABILITY FOR DAMAGE BY OTHER PERSONS **(§7858)**

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

IMPOUNDMENT OF ATVS (§7859)

When a law enforcement officer issues a summons for a violation under this subchapter, the officer may impound the ATV operated by the person who received 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 vehicle in violation and such operation may be a hazard to the safety of persons or property.

The operator or owner may reclaim his vehicle 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 vehicle.

IMPLIED CONSENT TO CHEMICAL TESTS (§7860)

Any person who operates or attempts to operate an ATV within this State has the duty to submit to a test to determine that person's blood-alcohol or drug concentration level by analysis of blood, breath or urine if there is probable cause to believe that the person has operated or attempted to operate any ATV while under the influence of intoxicating liquor or drugs. The duty to submit to a blood-alcohol or drug concentration test includes the duty to complete either a blood breath or urine test or any combination of those tests. Tests and procedures applicable in determining whether a person is under the influence of intoxicating liquor or drugs are governed by section 7912.

PENALTIES (§7901)

A violation of §7857, sub-§ 10, 13, 13-A, 13-B, 14, 15, 16, 17, 20 or 21 or of §7858 is a civil violation with a fine of not less than \$100 nor more than \$500, of which not more than \$50 may be suspended. Violations of all other laws pertaining to all-terrain vehicles are a Class E crime, subject to a fine of \$500 and 6 months imprisonment.

Limited Liability for Recreational or Harvesting Activities.
Title 14 §159-A, MRSA

- 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, sightseeing, 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.
2. 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. 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.
4. 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.

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.

Damage to Another's Property (14 MRSA, §7551):

Anyone who damages the property of another 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;

3. A person doing damage to property of another may also be charged criminally for doing the damage.

(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 600 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 600 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.

LITTERING

It is unlawful to dispose of litter anywhere in this State except in areas or receptacles designed for that purpose.

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.

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.

<u>ATV Model Size</u>	<u>Minimum Age</u>
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 RiderCourse, 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.
- 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 protec-

tion. 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.

n 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 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 under-inflated, 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 handle-

bars 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. Footshifter - Make sure the footshifter 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.

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.

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).
- 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.

SPECIAL NOTE: If your ATV stalls while travelling up a hill, do not let it roll backwards. See the section on hills on pages 30-32.

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

- 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.

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.
- 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.

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.

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 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 Concentration" 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 affects 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, 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.

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

EXPANDING YOUR HORIZONS

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.

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 RIDERCOURSE
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.

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.

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Specialty Vehicle Institute of America (SVIA)

**SUMMARY OF LAWS
PERTAINING SPECIFICALLY TO
PERSONS UNDER 18 YEARS OF AGE**

- 1. Operating an ATV while under age.** It is unlawful for a person under the age of 10 years to operate an ATV, unless they operate on land that is owned by their parent or guardian.
- 2. Protective headgear.** A person under 18 years of age must wear protective headgear when operating or riding on an ATV. "Protective headgear" means helmets which conform with minimum standards of construction and performance as prescribed by the American National Standards Institute specification Z90.0 or by the Federal Motor Vehicle Safety Standard No. 218.
- 3. Training.** A person under 16 years of age must have successfully completed Department approved ATV training to operate on land not owned or leased by that person's parent or guardian or on which that person is domiciled.
- 4. Accompanied by an adult.** "Accompanied by an adult" means within visual and voice contact and under the effective control of a parent or guardian, or another person 21 years of age or older.

A person under 15 years of age must be accompanied by an adult of 21 years of age or older when operating an ATV, except when operating on land that is owned by the parent or guardian of the operator.

A person 12 to 15 years of age, who has successfully completed a Department approved training course, and while accompanied by an adult of 21 years of age or older, may cross a public way, when operating a properly registered ATV the distance necessary, but not more than 300 yards on the extreme right of the travelled way for the purpose of crossing, as directly as possible, a public way, sidewalk or culvert.



TEN COMMANDMENTS OF ATV SAFETY

1. Wear protective devices and clothing.
Never ride double.
2. Always tell someone where you're going
and when you'll return.
3. Do not drink alcohol beverages or use
other drugs while riding.
4. Always practice care for the environment.
5. Know the machine before operating.
6. Take a safety course before first time
operation.
7. Always directly supervise younger riders.
8. Always be courteous to others.
9. Ask permission before riding on another's
land.
10. Obey the laws and rules.