

**TESTIMONY OF THE  
DEPARTMENT OF INLAND FISHERIES AND WILDLIFE**

**BEFORE THE JOINT STANDING COMMITTEE ON  
TRANSPORTATION**

**IN OPPOSITION TO L.D. 557**

**An Act to Allow All-terrain Vehicles to Be Used on a Public Way**

**Presented by:** Senator MOORE of Washington.

**Cosponsored by:** Representative MCINTYRE of Lowell and Representatives: DAIGLE of Fort Kent, STROUT of Harrington.

**DATE OF HEARING: Thursday March 27, 2025**

Good afternoon Senator Nangle, Representative Crafts and members of the Committee on Transportation. I am Aaron Cross, Major for the Maine Warden Service at the Department of Inland Fisheries and Wildlife, speaking on behalf of the Department, in opposition to L.D. 557.

This bill, beginning January 1, 2026, allows the operation of an all-terrain vehicle, or ATV, on a public way as long as the ATV is registered and meets specified safety equipment requirements, and the operator is licensed and has insurance. The bill requires the payment of the resident or nonresident ATV application fee to register an ATV for use on a public way. The bill would affect the operation of ATVs off of public ways. It creates a minimum width of no less than 30 inches and no more than 70 inches in width, measured at the widest point of the ATV, including the tires. This conflicts with the standard size ATV that is currently allowed off of public ways and even exceeds the “oversized” ATV definition which is only 65 inches in width and 2000 lbs per manufacturer specifications. If the bill passes as written, it will create a conflict in law by allowing oversized ATVs to be registered to ride the public way, though they would not be able to legally operate on the state designated trail system.

The bill requires the Secretary of State, Bureau of Motor Vehicles (BMV) to register and title ATVs for use on public ways. It also requires the registration fee as established within Title 12 Section 13155, which is currently collected by IF&W. Clarification is necessary to understand whether the funds collected by BMV would be transferred to IF&W or to the Highway fund. According to IF&W, there were 74,619 ATVs registered in Maine in 2023-2024.

Currently, communities that support ATV use on public roads go through a structured process to allow access within their jurisdictions. These communities ensure that their law enforcement officers receive specialized ATV training. One primary source of funding for this training is the ATV Enforcement Grant and Aid Committee Fund. However, these grants are already limited and allocated to agencies that currently oversee ATV enforcement in designated areas. Expanding ATV access without additional funding would further strain these resources.

If this becomes law, any issues, violations, or crashes involving ATVs operating on public roadways would become the responsibility of local municipalities and counties to enforce and investigate. This would place an additional burden on already overstretched law enforcement

agencies. Without proper enforcement, there would likely be an increase in dangerous behaviors, including excessive speeding and operating under the influence. This poses a serious risk to public safety and could increase the potential for accidents and fatalities.

In summary, our agency opposes the bill because this would create enforcement challenges, stretch limited resources even further, compromise public safety, and potentially create a negative impact on trail systems that rely heavily on relationships with private landowners.

I would be glad to answer any questions at this time or during the work session.