

§9601. Spark arrester

1. Illegal operation. A person is guilty of illegal operation of power-driven equipment if that person knowingly:

- A. Operates power-driven equipment in, through or within 1,000 feet of forest lands without an approved spark arrester; [PL 1989, c. 174, §7 (NEW).]
- B. Requires the operation of power-driven equipment in, through or within 1,000 feet of forest lands without an approved spark arrester; or [PL 1989, c. 174, §7 (NEW).]
- C. Permits the operation of power-driven equipment owned by that person in, through or within 1,000 feet of forest lands without an approved spark arrester. [PL 1989, c. 174, §7 (NEW).]

For the purposes of this section, "power-driven equipment" means vehicles, tools or other equipment with an internal combustion engine, but does not include boat motors.

Notwithstanding section 9701, any person who violates this subsection commits a Class E crime. In addition, if the State proves that while in violation of this section fires resulting from that person's power-driven equipment resulted in fire suppression costs to municipal or State Government, the court, as part of any sentence imposed, may, pursuant to Title 17-A, chapter 69, order restitution to be paid to the government entities incurring the suppression costs in an amount not to exceed the limitations established in section 9321.

[PL 2019, c. 113, Pt. C, §18 (AMD).]

2. Approved spark arresters. Spark arresters shall be approved by the director if judged effective to prevent the escape of sparks, carbon deposits or other substances likely to cause fires. The director may permit the use of spark arresters certified by the United States Forest Service, Department of Agriculture.

[PL 1989, c. 174, §7 (NEW).]

SECTION HISTORY

PL 1979, c. 545, §3 (NEW). PL 1989, c. 174, §7 (RPR). PL 1991, c. 528, §E11 (AMD). PL 1991, c. 528, §RRR (AFF). PL 1991, c. 591, §E11 (AMD). PL 2019, c. 113, Pt. C, §18 (AMD).

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