

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Allow the Operation of Modified Utility Vehicles on Public Ways

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 12 MRSA §13001, sub-§3, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

3. 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 modified utility vehicle as defined in Title 29-A, section 101, subsection 35-B; 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.

Sec. 2. 29-A MRSA §101, sub-§35-B is enacted to read:

35-B. Modified utility vehicle. "Modified utility vehicle" means a 4-wheeled automobile, commonly known as a utility vehicle, recreational utility vehicle or multipurpose utility vehicle, that has been modified so as to meet the equipment requirements in accordance with section 1927. "Modified utility vehicle" does not include an ATV as defined in Title 12, section 13001 or an off-road vehicle.

Sec. 3. 29-A MRSA §102, sub-§3 is enacted to read:

3. Operation of modified utility vehicle. The registration and operation of a modified utility vehicle in accordance with section 501, subsection 12 and section 2093 is authorized. A municipality may prohibit the use of modified utility vehicles by municipal ordinance or restrict the use of modified utility vehicles in accordance with section 2093, subsection 2.

Sec. 4. 29-A MRSA §501, sub-§12 is enacted to read:

12. Modified utility vehicle. Registration of modified utility vehicles is subject to the provisions of this subsection.

A. The Secretary of State shall issue a registration for a modified utility vehicle upon application and payment of an annual fee of \$35. The registrant must provide proof of ownership, proof of financial responsibility required by section 1601 and evidence of payment of the excise tax required by Title

36, section 1482. A modified utility vehicle registered under this section is issued a motorcycle registration plate as described in section 515-A. The Secretary of State may issue a facsimile plate for a 60-day period.

B. Proof of ownership may be demonstrated either by affidavit or by providing the manufacturer's certificate of origin.

Sec. 5. 29-A MRSA §1752, sub-§12 is enacted to read:

12. Modified utility vehicle. A modified utility vehicle registered pursuant to section 501, subsection 12. A modified utility vehicle must be equipped in accordance with section 1927.

Sec. 6. 29-A MRSA §1927 is enacted to read:

§ 1927. Equipment requirements for modified utility vehicles

1. Equipment required. A modified utility vehicle registered pursuant to section 501, subsection 12 must be equipped, at a minimum, with:

- A. Brakes for each wheel;
- B. Headlights;
- C. Odometer;
- D. One exterior rearview mirror;
- E. One interior rearview mirror;
- F. A parking device;
- G. Rear reflectors;
- H. A windshield;
- I. A speedometer;
- J. Stop lamps;
- K. Rear lights;
- L. Seat belts;
- M. Turn signal lamps; and
- N. A vehicle identification number.

2. Working condition. Equipment required in subsection 1 must be in good working condition.

Sec. 7. 29-A MRS §2093 is enacted to read:

§ 2093. Operation of modified utility vehicles

A person operating a modified utility vehicle on a public way shall comply with the provisions of this chapter as they apply to the operator of an automobile and with this section.

1. License required. A person operating a modified utility vehicle must possess a valid Class A, Class B or Class C driver's license pursuant to section 1252.

2. Road restrictions. A modified utility vehicle may be operated only on a road or street with a posted speed limit of 45 miles per hour or less. A modified utility vehicle may cross, at an intersection, a road or street with a posted speed limit higher than 45 miles per hour. A municipality may prohibit the operation of a modified utility vehicle on any road under its jurisdiction if it determines that the prohibition is necessary in the interest of public safety.

3. Violation. A person who operates a modified utility vehicle in violation of subsection 2 commits a traffic infraction.

SUMMARY

This bill allows a modified utility vehicle, commonly known as a utility vehicle, recreational utility vehicle or multipurpose utility vehicle, to be registered and operated in Maine with certain limitations.

A modified utility vehicle that meets specified equipment requirements may be operated on Maine roads with a posted speed limit of 45 miles per hour or less. Due to its modifications, a modified utility vehicle is not an ATV or off-road vehicle. Like a low-speed vehicle, a modified utility vehicle is exempt from inspection requirements and is registered by application to the Secretary of State, which application must be accompanied by proof of ownership, proof of financial responsibility and proof of payment of excise tax.

In order to avoid the cost of printing a new registration plate specifically for modified utility vehicles, a modified utility vehicle is issued a motorcycle registration plate.