Maine Forest Products Council

The voice of Maine's forest economy

Testimony in Opposition to LD 19
An Act to Change the Definition of "Oversized ATV" in the Laws Governing the Registration of All-terrain Vehicles

Good afternoon Senator Baldacci, Representative Roberts and members of the Inland Fisheries and Wildlife Committee. My name is Patrick Strauch. I am from Exeter, and I am testifying today on behalf of the Maine Forest Products Council on LD 19, "An Act to Change the Definition of "Oversized ATV" in the Laws Governing the Registration of All-terrain Vehicles". While we appreciate Senator Moore bringing this issue forward, we must respectfully oppose this legislation, along with other similar proposals that will be considered by the Committee during this session.

For 65 years, the Maine Forest Products Council has served as the voice of Maine's forest economy, representing more than 300 members from all facets of the forest products industry. Our members include pulp and paper mills, sawmills, secondary wood processors, foresters, loggers and truckers. We also represent commercial landowners managing more than 8 million acres of forestland. While supplying much of the fiber to sustainably support an $8.1 billion forest products industry, our members also provide public access to these privately owned and managed forestlands that support Maine's $2.8 billion outdoor recreation industry[1].

Although the change requested by LD 19 may seem insignificant, there was a tremendous amount of work and compromise that led to the current weight restrictions. In 2020, the ATV Task Force deliberated extensively on recommendations that this committee considered and adopted into law. These recommendations were the product of a collaborative process during which all parties came to the table and agreed upon a number of recommendations to ensure that the standards and maintenance of state ATV trails are consistent and acceptable to the private landowner community that provides public access from a safety and environmental liability standpoint.

[1] https://www.newscentermaine.com/article/sports/outdoors/outdoor-recreation-industry-maine-billions-economy/97-7a510e24-5f69-4f73-b47e-c0316c9ac198

The 2020 report says[2],

> "Having considered the information and points of view expressed, we are pleased to propose this set of recommendations, along with items for further consideration that came out of our discussions. The following are some of the highlights of our recommendations:
> • Limit the size and weight of ATVs that can be registered in Maine to 65 inches wide and 2,000 lbs.
> • Adopt Best Management Practices (BMPs) for state-funded ATV trails.
> • Create a standardized annual trail inspection process.
> • Develop a collaborative communications campaign.
> • Maintain a simple user-pay registration system with one sticker type and price.
> • Raise fees across all ATVs equally, having a differential for residents and non-residents and directing the entire increase to trail funding"

As you can see, the very first recommendation made by the taskforce was for the weight limit to be set at 2,000 lbs. Some user groups wanted a higher weight limit, and some landowners wanted a lower weight limit, however, this was the compromise that was reached in order to reach consensus and maintain a uniform limit across the ATV trail system. All ATVs that had previously been purchased were grandfathered under this law, and all new ATV sales require a notification to the buyer if the recreational vehicle exceeds the limit that can be registered for trail use.

A sign of great compromise, stakeholders on both sides of the issue walked away slightly displeased. However, an important consensus was reached to maintain uniformity and access while establishing standards and BMPs to protect the environment and privately-owned natural resources. LD 19 may be well intentioned, but it erodes the important gains made between user groups and the landowner committee.

As larger and faster ATVs become available, there will always be pressure from some stakeholders to increase the weight limit established by the ATV Tas Force, but these heavier machines are more damaging to existing trail systems and waterways, and some trail infrastructure is not adequate to support these machines. It is important to honor the agreement between landowners and the ATV community so that this kind of recreational activity continues on private land.

For these reasons, the Council opposes all efforts to increase the weight limit, and we respectfully urge the committee to vote 'Ought not to pass' on LD 19 (and on LD 341 when that bill is considered). Thank you. I would be happy to answer any questions you may have.

[2] https://www.maine.gov/ifw/docs/ATV-Task-Force-Report-2020-1-6%20FINAL.pdf