Maine Forest Products Council

The voice of Maine's forest economy

Testimony in Opposition to LD 276

"An Act to Modernize ATV Classification, Registration, Trail Access and Landowner Protections"

February 25, 2026
Krysta West, Executive Director

Good afternoon, Senator Baldacci, Representative Roberts and members of the Inland Fisheries and Wildlife Committee. My name is Krysta West. I am from Readfield, and I am testifying today on behalf of the Maine Forest Products Council in strong opposition to LD 276, "An Act to Modernize ATV Classification, Registration, Trail Access and Landowner Protections."

For 65 years, the Maine Forest Products Council has served as the voice of Maine's forest economy, representing hundreds of 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 sustainably managing more than 8 million acres of forestland. While supplying much of the fiber to support an $8.3 billion forest products industry, our members also provide public access to these privately owned forestlands that support Maine's $3.4 billion outdoor recreation industry.

Last February, the Council testified before this committee in opposition to LD 19. In March, we testified against LD 341 and in April, in our testimony on LD 1308, we urged the committee to either vote against these bills or carry them over to allow time for the working group to discuss this consequential issue within the context of access as a whole. LD 1308 was unanimously supported by this committee and the full Legislature to examine issues related to public access to privately owned lands. The resulting working group, which included a thorough stakeholder engagement process with three state departments (ACF, IFW and DECD), representatives of all types of landowners and recreational user groups, worked diligently to tackle access issues through a collaborative consensus process. The final report, which directly speaks to the issue of oversize ATVs, includes "a comprehensive set of recommendations to strengthen the access tradition."

While this report was received by the committee less than a month ago, the bill before you today fails to implement any of the recommendations outlined in the report, and it ignores the finding on page 7 that states: "Any efforts to increase the current weight restrictions for UTVs would likely result in significant closures of hundreds of miles of trail, fragmenting the connected trail system that recreators enjoy today. Off-highway vehicle use represents a significant and expanding sector of Maine's outdoor recreation economy; however, most of these trails are located on private land, and landowners typically receive no direct financial benefit despite bearing the risks of damage, liability, and maintenance."

Page 3 of the report states that, "Strengthening enforcement of existing laws emerges as the report's most critical recommendation." Instead of strengthening support for law enforcement, this bill would create a disjointed system that would be impossible to enforce within existing resources, putting the onus onto clubs and landowners, rather than the State, where it belongs.

Page 9 states: “Landowners consistently reported that littering, illegal dumping, trespass, off-trail riding, unauthorized camping, and other behaviors remain among the most significant sources of conflict. Although these actions can result in substantial environmental damage, financial costs, and strain on landowner-user relationships, they are often treated as minor offenses within the judicial system. In many instances, fines are minimal, or restitution is not required or enforced. This lack of meaningful consequence significantly reduces the deterrent effect of enforcement, reinforces a perception that such violations are a low priority, and leaves landowners feeling unsupported by the State.”

Public comments received by the working group support this finding, and an analysis has been included with my testimony.

Page 9 goes on to say: “Concerns about environmental liability have also intensified. Under current law, landowners are held financially responsible for environmental damage caused by recreational users, including soil erosion, water quality impacts, or damage to sensitive habitats. This creates a strong disincentive for landowners to keep land open and underscores the need for a more equitable and stable approach to managing recreational impacts.”

With my testimony today, I have also included some photos from landowners that I represent that outline some of this damage. In addition to being costly, repeat BMP violations on trails threaten certification status for landowners that invest heavily in meeting third-party audits through the SFI and FSC programs to maintain critical market access. LD 276 fails to address these real concerns and instead allows for machines of unlimited size to be registered for use on private land.

The conclusion of the LD 1308 report on page 17 states: “Maine’s tradition of public access to private land is a defining feature of the State’s culture, economy and outdoor heritage. The challenges described in this report are not new; they are decades-long trends that have been largely managed through cooperation and goodwill.”

A prime example of this good will and cooperation is the 2020 ATV Taskforce. LD 276 would undo the work of this taskforce against the will of many of the participants - work that made today’s unified trail network possible.

The conclusion goes on to state that Maine’s access tradition is: “…rooted not in statute, but in <u>trust</u> – trust that landowners will continue to allow responsible use of their property, and trust that the recreating public will honor that privilege with respect to stewardship.”

In many ways, LD 276 violates this trust, and it would undoubtedly be the end of the ATV network that is enjoyed by tens of thousands of recreators today. Please don’t undermine the collaborative and consensus work of now two taskforce groups to tackle this complex issue.

For your reference, I have included our previous testimony, notes that have been sent to this committee by our members, referenced pages from the LD 1308 report, our summary of the public comments from that stakeholder process, photos of damage on private land caused by ATVs and a growing list of groups and individuals who support Committee Amendment B to LD 19.Thank you. I would be happy to answer any questions you may have.

2025 MFPC Landowner Survey Results

7.1 million acres reflected in responses
**Updated February 25, 2026*

- Access policies for activities including hunting, fishing, camping, hiking, snow shoeing, cross-country skiing and snowmobiling remain consistent across the memberships that we represent, and that access policies are often more permissive than policies on public land.
- Access policies have only changed on 65 acres of the respondents over the last 5 years (ATVs restricted).
- Changes in gate policies are largely the result of ATVs straying from authorized trails or causing damage, especially during mud season. Trash dumping and Jeeping are also factors for some.
- Commercial forestland owners surveyed (representing nearly 900 miles of the statewide trail system) strongly oppose efforts to increase weight limits of ATVs.