

8 FY 19/20
April 26, 2019

**AN ORDER ESTABLISHING THE GOVERNOR'S
TASK FORCE ON ALL-TERRAIN VEHICLE TRAIL INITIATIVES**

WHEREAS, all-terrain vehicle (ATV) registrations in Maine have exceeded 70,000 and continue to grow, providing a valuable recreation opportunity and boost for Maine's outdoor recreational economy; and

WHEREAS, ATV design is evolving and these recreational vehicles can be of varying sizes, capabilities, power, weight and width; and

WHEREAS, although there are many responsible ATV users operating on more than 60,00 miles of trail on public and private land, there also are other ATV operators who, among other acts, damage the land of private landowners, trespass on private land, disobey State laws and cause environmental damage; and

WHEREAS, some private landowners who are frustrated by irresponsible ATV operation and the varying sizes and capabilities of these machines are posting their land and trails banning public use; and

WHEREAS, there are concerns that continued disrespect of private land will affect other recreational opportunities that have been afforded by the generous allowance of public use on private land; and

WHEREAS, community-supported solutions have a greater chance of successfully addressing the problems of irresponsible ATV operation than a unilateral state governmental approach pursuant to the authority of the Department of Inland Fisheries and Wildlife ("IFW") under *12 M.R.S. §§13151 et seq.*;

NOW, THEREFORE, I, Janet T. Mills, Governor of the State of Maine, pursuant to *Me. Const. Art V, Pt 1, §1 and §12*, do hereby Order as follows:

I. ESTABLISHMENT AND PURPOSE

The Task Force on All-Terrain Vehicle Trail Initiatives ("Task Force") is hereby established. The purpose of the Task Force is to recommend how best to address the social, economic, legal and environmental problems caused by certain ATV operation. To that end, the Task Force shall:

- A. Discuss creating an ATV trail system with consideration to ATV size, weight, environmental impact and other relevant factors;
- B. Discuss construction and maintenance standards for Maine’s ATV trail system;
- C. Create a plan to enforce compliance of trail construction and maintenance standards by the State, including discussion of third-party inspections;
- D. Create a communication and outreach plan for the Maine ATV trail system to include a focus on landowner considerations designed to educate the public on responsible ATV operation;
- E. Discuss ATV registration requirements based on size, width, weight and/or value; and
- F. Discuss adequacy of funding for the oversight, construction and maintenance of the Maine ATV trail network.

II. MEMBERSHIP

The Task Force shall consist of fourteen (14) members who will be appointed by and serve at the pleasure of the Governor. Two members shall represent large forest landowners and one member each shall represent a statewide forest products organization, statewide small family woodlot organization, large farmland owner, statewide farming organization, utility corridor right-away owner, land trust organization, statewide ATV organization, combination ATV/snowmobile club, Maine ATV dealer, statewide snowmobile organization, the Department of Agriculture, Conservation and Forestry (“ACF”) ATV program, and the IFW Landowner Relations Program.

III. PROCEEDINGS

The Task Force shall be chaired jointly by the Commissioner of IFW and a member representing a large-forest or farmland owner. The chairs will preside at, set the agenda for, and schedule Task Force meetings. The Task Force shall meet as often as necessary to complete the assigned duties. All meetings shall be open to the public and held in locations determined by the Task Force. The Departments of IFW and ACF shall provide staff to the Task Force and the Departments may employ additional staff if resources permit.

IV. RECOMMENDATIONS

The Task Force shall submit its recommendations to the Governor on or before January 1, 2020. Upon such submission, the Task Force shall dissolve.

V. COMPENSATION

Members of the Task Force shall serve without compensation. Upon demonstration of need, the public members may be reimbursed by their departments for reasonable expenses.

VI. EFFECTIVE DATE

The effective date of this Order is April 26, 2019.

Janet T. Mills, Governor