Town of Chebeague Island
Special Meeting of the Board of Selectmen
Wednesday, November 4, 2009 @ 7:00PM
Chebeague Island Hall & Community Center

Present: Herb Maine, Chris Rich, David Hill, Donna Damon and Scott Seaver.
Absent: Mark Dyer.

Meeting called to order at 7:04PM

Herb Maine: We have only one item on the agenda tonight. It is for a Citizen Initiative for an Off-
Highway Ordinance. This is the second meeting and/or hearing that on this subject.

Herb Maine: Asked Aaron Rugh to make a presentation in regard to the revisions to the ordinance.

Aaron Rugh: There were some issues brought up at the last meeting. The purpose is to level the field for
vehicles on the island so that people on the island can choose to use a fuel efficient, less expensive
vehicle. As I have said in the previous meeting this is not an ATV Ordinance unfortunately the rules and
use out of the State have focused on ATV’s as they appeared about thirty years ago. The purpose of the
ordinance that is being presented is to allow a variety of vehicles to use Town roads. This includes ATV’s
(four wheeled vehicles) and UTV’s (Utility Vehicles). Most of these vehicles have lights, stop lights and
signals and safety equipment can be added.

One of the biggest concern’s that came out of the last meeting is that these vehicles would be used
recklessly on private property. That was never the intent; in State Statutes it prohibits travel over private
property. Another issue was anyone that operates one of theses vehicles on a public way, a public way
means any road in which a vehicle would travel. It does not mean on a beach, footpath or anything like
that. On the roads we want licensed drivers, registrations and insured. The other issued was speed.
Some of these vehicles have safety equipment (roll over protection, seat belts, etc).

We kept the golf cart provision in there just because they tend to operate differently. My concern has
been from the beginning is that we do not make some of the new electric vehicles that are coming into
use that they are not golf carts. Their specific intent was not to be used as a golf cart.

David Hill: Is the intent is that they would be restricted to being used only on a public way? What about
the beach, golf course, town property?

Aaron Rugh: I think it is illegal to use them on the beach anyway. The same laws would pertain to these.

Donna Damon: We do not have anything in writing to say that. I think we should be able to specify just
to clarify.

Aaron Rugh: Why can’t we be specific?
Donna Damon: I would like to have copies of all State Statues to read.
Herb Maine: Aaron, you do not have any problem with the Town sending this out for legal review?
Aaron Rugh: No, absolutely no problem.
Herb Maine: In terms of enforcement, it would be a traffic enforcement issue. This means it would fall to Cumberland County Sheriff.
Herb Maine: You mentioned slow speed vehicles. I wonder if there is any huge definition of off highway vehicles.
Aaron Rugh: I think legal review would be helpful here. I do not want to exclude golf carts if they are capable of doing the speed safely and have safety equipment (headlights, taillights, etc.). The whole purpose of this ordinance is to level the field.

Donna Damon: How do we decide if we want to make changes in this? What is the process?

Herb Maine: First we have to decide if it will go to town meeting. Do we sponsor the bill. It’s going to be a collaborative effort.

David Hill: First we need to decide 1) do we want to move something forward, 2) do we submit it to our attorney for legal review and 3) approval of a final draft. We send it out for legal review it comes back to us to for a final review. At that point we decide if it needs changes and if it moves forward to town meeting.

Donna Damon: Motion to adjourn meeting at 8:17PM
Chris Rich: Second.
Vote: Unanimous.
Meeting adjourned at 8:17PM.
Respectfully submitted by Susan Campbell, Town Clerk.