

Tough sledding in Maine

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AUGUSTA (AP) — As temperatures drop and snowmobilers await the start of a new season riding trails, a debate is heating up in Maine's State House over whether power sled owners should be forced to get liability insurance.

The proposal has been rejected in the past by the Legislature, which goes back into session in early January. Rep. Ronald Collins' bill would also apply to all-terrain vehicles.

Collins, R-Wells, said he is introducing the bill because property owners want some recourse when their land is damaged by a small minority of irresponsible operators. The Governor's ATV Task Force is also recommending liability insurance for snowmobiles and ATVs.

But some rental businesses say the liability law would put them out of business because they can't find insurers willing to write policies for them.

And some private owners say a law requiring individual liability insurance for ATVs and snowmobiles could discourage riders from registering their vehicles, which is already a problem in Maine.

"I've got nothing against liability insurance — the cost is just too much for some people in some situations. They won't do it, even if they have to do it," said Norm Roberts of Searsmont.

According to an informal survey by the Maine Snowmobile Association, a snowmobile owner in Maine pays \$150 to \$600 a year for liability insurance, while clubs pay about \$1,000 annually.

Only a small minority of snowmobile and ATV owners now purchase liability insurance, although most snowmobile clubs do to protect themselves in the event of injuries on the trails they maintain.

As rates for all kinds of insurance rise, some clubs in Maine have seen their costs for liability coverage triple and quadruple, said Bob Meyers of the Maine Snowmobile Association, which has 16,000 members.

"If we can't fix this, the clubs won't be able to groom, because they won't be protected," Meyers said. "Unfortunately, anybody can sue anybody for anything."

In advance of the legislative session, Meyers' group is working with the state parks bureau and attorney general's office to see whether Maine's landowner liability law can be clarified to provide protection for snowmobile clubs.

Current law says a landowner can only be held responsible if "intentional or reckless actions" cause injuries.

Maine's legal research has turned up a case in New Hampshire in which a snowmobile club was held not liable for injuries that occurred on a trail it maintained. □