

# MAINE STATE LEGISLATURE

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(EMERGENCY)  
New Draft of : H. P. 991, L. D. 1179  
FIRST REGULAR SESSION

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ONE HUNDRED AND TENTH LEGISLATURE

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**Legislative Document**

**No. 1581**

H. P. 1439

House of Representatives, May 7, 1981

Reported by Representative Strout from the Committee on Transportation  
and Printed under Joint Rules No. 2.

EDWIN H. PERT, Clerk

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

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**AN ACT to Provide Reciprocal Fees and Charges for Trucks from other States.**

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**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, currently, Maine residents involved in the trucking industry are charged various excessive fees when they operate their trucks in other states and provinces; and

Whereas, residents of other states and provinces who operate trucks in Maine are not charged these excessive fees and rates; and

Whereas, the current economic conditions have made it imperative that this inequity be corrected in order to permit Maine residents to operate on an equal footing with residents of other states and provinces; and

Whereas, correction of this problem must be made immediately in order to prevent great economic hardship on Maine residents operating trucks in other states and provinces; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 29 MRSA § 246-A is enacted to read:

**§ 246-A. Motor truck and truck tractor permits**

In addition to any other provision of law relating to registration of motor vehicles, or fees paid therefor, a person owning or operating a motor truck or truck tractor registered for 10,000 pounds gross vehicle weight or a greater gross weight upon the highways of the State, which is not registered in this State, shall apply to the Secretary of State for a highway use permit for each such motor truck or truck tractor to be so operated. Application shall be made upon a form prescribed by the Secretary of State and shall set forth such information as the Secretary of State may require. The application shall be accompanied by a permit fee of \$30 for each motor truck or truck tractor listed in the application.

Trucks and truck tractors registered in Maine for 10,000 pounds gross vehicle weight or above, powered by other than a gasoline engine, shall apply to the Secretary of State for an identification permit. The application shall be made upon a form prescribed by the Secretary of State and shall set forth such information as the Secretary of State may require. The application shall be accompanied by a fee of \$3.

The Secretary of State shall issue a permit and an identification tag, plate or sticker for each such motor truck or truck tractor, which tag, plate or sticker shall be of such size and design, and contain such information as the Secretary of State shall prescribe. Any such permit and tag, plate or sticker shall become void on January 1st next following the date of issue. Such permits shall be carried in the motor truck or truck tractor, and the tag, plate or sticker shall be affixed to the motor truck or truck tractor and at all times be visible and legible.

The Secretary of State may, by telegram or by issuance of a trip permit identifying the motor truck or truck tractor, authorize its operation without the attachment of a tag, plate or sticker for a period not to exceed 15 consecutive days. The telegram or trip permit must be kept in the truck while being operated on the highways of this State. The fee for a 15-day trip permit shall be \$15.

In the case of so-called "you-drive-it" rental trucks, truck tractors excepted, operated by a nonresident owner, the Secretary of State may require a trip permits on an apportionment or allocation basis. Truck tractors of "you-drive-it" type will require individual or annual trip permits as outlined in this section.

Every state police officer or any member of the Department of Public Safety, as designated by the Commissioner of Public Safety, is authorized and directed to enforce this section. When a motor truck or truck tractor is found to be operating in violation of this section, a citation will be issued. A 15-day trip permit may be issued by the officer on the scene upon payment of the \$15 fee set forth in this section or \$3 in the case of a Maine registered truck or truck tractor. Vehicles found to be in violation shall not be permitted to proceed until the required permit fee has been collected.

Violation of this section is a Class E crime. All fines shall accrue to the Highway Fund. As a grace period to allow the trucking industry to become aware of the permit requirement set forth in this section, no citation for violation of this section will be issued during the first 30 days following the date this section becomes effective.

This section shall become effective on July 1, 1981.

Sec. 2. Allocation from Highway Fund. The following funds are allocated from the Highway Fund to carry out the provisions of the Revised Statutes, Title 29, section 246-A.

	1981-82	1982-83
PUBLIC SAFETY, DEPARTMENT OF		
Bureau of State Police		
Positions	(6)	(6)
Personal Services	\$ 50,800	\$181,437
All Other	22,500	45,068
Capital Expenditures	74,300	—
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Total	\$147,600	\$226,505

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.

FISCAL NOTE

It is estimated that \$3,900,000 in revenue will be generated annually.

STATEMENT OF FACT

The first 6-month period includes the funds to hire and train 6 new state police troopers and purchase the necessary equipment, while the 2nd year will allow the new officers to replace veteran personnel in the field who will be transferred into the truck enforcement unit.