

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

1 (After Deadline)  
2 SECOND REGULAR SESSION  
3

4 ONE HUNDRED AND TENTH LEGISLATURE  
5

6 **Legislative Document**

**No. 2071**

7  
8 H. P. 2185 House of Representatives, March 18, 1982  
Approved for introduction by a majority of the Legislative Council  
pursuant to Joint Rule 27.

Reference to the Committee on Transportation suggested and  
1,400 ordered printed.

9 EDWIN H. PERT, Clerk

Presented by Representative Carroll of Limerick.

Cosponsor: Senator Emerson of Penobscot.

10  
11 STATE OF MAINE  
12

13 IN THE YEAR OF OUR LORD  
14 NINETEEN HUNDRED AND EIGHTY-TWO  
15

16 AN ACT to Clarify and Make Corrections  
17 in the Motor Vehicle Laws.  
18

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

20 Sec. 1. 29 MRSA §1, sub-§22, as amended by PL 1981, c.  
21 437, §1, is further amended to read:

22 22. Wrecker. "Wrecker" means a motor vehicle with  
23 hoisting apparatus and special equipment designed and used  
24 for towing wrecked or disabled vehicles or freeing vehicles  
25 stalled or stuck in snow, mud or sand and shall not include  
26 any vehicle designed to carry more than one vehicle upon its  
27 own body.

28 Sec. 2. 29 MRSA §52, last sentence, as enacted by PL  
29 1979, c. 559, §1, is amended to read:

30 These agents, examiners and Motor vehicle inspectors shall  
31 have all necessary authority to enforce the provisions of

1 chapter 5, subchapter III-A; and chapters 7, 15 and 21, and  
2 to enforce all rules promulgated to implement these provi-  
3 sions.

4 Sec. 3. 29 MRSA §354, sub-§1, ¶H, 2nd ¶, as enacted by  
5 PL 1981, c. 437, §10, is amended to read:

6 This paragraph does not apply to any vehicle which, by  
7 design, exceeds 10,000 pounds without a load, such as  
8 large trucks and trucks with permanently attached  
9 equipment and dealer wreckers registered pursuant to  
10 subsection 3.

11 Sec. 4. 29 MRSA §354, sub-§3, 2nd sentence, as  
12 repealed and replaced by PL 1981, c. 437, §1, is amended to  
13 read:

14 Any wrecker to which a specially designed wrecker plate has  
15 been attached may not be used in connection with a commer-  
16 cial towing business nor exceed 24,000 pounds gross vehicle  
17 weight.

18 Sec. 5. 29 MRSA §363, 2nd and 3rd sentences, as  
19 enacted by PL 1973, c. 529, §1, are amended to read:

20 If the purchaser of such vehicle or trailer is a resident of  
21 Maine or a nonresident member of the Armed Services, said  
22 the purchaser may operate the same for a period not to  
23 exceed 20 consecutive days thereafter without payment of a  
24 regular fee. If at the end of this 20-day period a Maine  
25 resident who is unable to comply with the requirements of  
26 chapter 21 and a nonresident serviceman who has applied for,  
27 but not yet received, a registration certificate from his  
28 home state, the Secretary of State may further extend this  
29 period without charge for not more than 20 additional days.

30 Sec. 6. 29 MRSA §532, 3rd ¶, first sentence, as  
31 amended by PL 1971, c. 360, §25, is further amended to read:

32 The motorcycle ~~or~~ motor driven cycle or moped learner's  
33 permit, when issued, will be valid for a period of 120 days  
34 one year.

35 Sec. 7. 29 MRSA §532, 3rd ¶, 2nd sentence is amended  
36 to read:

37 Failure to complete the driving test within 120 days of one  
38 year from issue date of permit will require reexamination  
39 for the permit.

1           Sec. 8. 29 MRSA §2377, sub-§3, ¶A, as enacted by PL  
2 1981, c. 110, §34, is repealed and the following enacted in  
3 its place:

4           A. The identification number of the vehicle and its  
5 component parts are inspected for identity, and the  
6 vehicle is able to pass a safety inspection in accor-  
7 dance with the Maine vehicle inspection laws before the  
8 vehicle may be offered, advertised or exposed for sale;

9                                 STATEMENT OF FACT

10           The purposes of this bill are to:

11           1. Define more clearly the definition of a wrecker;

12           2. Exempt wreckers with wrecker dealer plates from a  
13 10,000-pound gross vehicle weight restriction;

14           3. Allow a wrecker with a dealer wrecker plate  
15 attached to carry a load in conjunction with the weight of  
16 the vehicle, not to exceed 24,000 pounds gross vehicle  
17 weight;

18           4. Remove motor vehicle license examiners and agents  
19 from having law enforcement powers as it relates to chapter  
20 5, subchapter III-A; and chapters 7, 15 and 21. It also  
21 moves motor vehicle inspectors' enforcement authority into  
22 one common section and also adds chapter 15 which allows  
23 motor vehicle inspectors the right to enforce driver license  
24 fraud and alteration of a Maine operator's license;

25           5. Eliminate the conflicting statutory requirements  
26 existing relative to vehicle safety inspection for titling  
27 rebuilt or repaired units and bring this law into compliance  
28 with general vehicle safety inspection laws;

29           6. Increase the term of a motorcycle, motor driven  
30 cycle and moped learners' permits from 120 days to one  
31 year; and

32           7. Grant a Maine resident time to comply with the  
33 title requirements, before registration, as set forth in  
34 Title 29, chapter 21.

35   5167031082