

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 3, 2008 to June 13, 2009**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 12, 2009**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**Augusta, Maine**  
**2009**

**CHAPTER 442  
H.P. 605 - L.D. 874**

**An Act To Amend the Laws  
Governing Axle Weights**

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

**Sec. 1. 29-A MRSA §2353, sub-§8** is enacted to read:

**8. Vehicles within maximum gross vehicle weight limits.** Notwithstanding any provision of this subchapter to the contrary, if a vehicle that exceeds axle weight limits and axle weight tolerance restrictions imposed by this subchapter by less than 5,000 pounds is within the applicable maximum gross vehicle weight limit including tolerances, the fine imposed under this subchapter is reduced by 50%.

This subsection does not apply to vehicles traveling on the Interstate Highway System except that portion of Interstate 95 designated as the Maine Turnpike.

**Sec. 2. 29-A MRSA §2360, sub-§7**, as affected by PL 1995, c. 65, Pt. A, §153 and amended by Pt. C, §9 and affected by §15, is further amended to read:

**7. Redistribution of load.** Notwithstanding subsections 1 to 6, when an officer determines that a vehicle that is within the gross vehicle weight limit is in violation of an axle weight limit, the officer shall permit the operator to redistribute the load once before proceeding. If redistribution brings the vehicle into compliance with axle limits, then the fine is reduced as follows:

- A. If the violation is less than 2,000 pounds, no penalty; and
- B. If the violation is less than 3,000 pounds, by 66%; ~~and,~~
- ~~C. If the violation is less than 4,000 pounds, by 50%.~~

See title page for effective date.

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**CHAPTER 443  
H.P. 752 - L.D. 1090**

**An Act To Provide a Waiver of  
the Tuition Remaining after  
the Application of Federal  
Department of Veterans  
Affairs Payments to Veterans  
Eligible for Benefits under the  
Post-9/11 Veterans Educational  
Assistance Act of 2008**

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

**Sec. 1. 20-A MRSA §10010** is enacted to read:

**§10010. Veterans**

Regardless of the state of residence, a veteran of the Armed Forces of the United States using the benefits under the Post-9/11 Veterans Educational Assistance Act of 2008 must receive a waiver from the tuition that remains after the application of all payments from the federal Department of Veterans Affairs, including payments under the Yellow Ribbon G.I. Education Enhancement Program in the Post-9/11 Veterans Educational Assistance Act of 2008. This section applies to all veterans enrolled at any campus of the University of Maine System, the Maine Community College System or Maine Maritime Academy in an undergraduate program of education.

See title page for effective date.

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**CHAPTER 444  
S.P. 81 - L.D. 240**

**An Act To Extend the  
Exception to Axle Fines during  
the Midwinter Season**

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

**Whereas**, there is an exception to axle fines during the midwinter season; and

**Whereas**, this section of law is repealed on September 15, 2009, and this date may be earlier than the effective date of this session's enacted laws; 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-A MRSA §2360-A, sub-§3**, as enacted by PL 2007, c. 453, §1, is amended to read:

**3. Repeal.** This section is repealed September 15, 2009 2011.