

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 122

H. P. 87

House of Representatives, January 8, 1975

Referred to the Committee on Transportation. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Farnham of Hampden.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT Relating to Operating a Motor Vehicle Without a Current
Certificate of Inspection.

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

Sec. 1. 29 MRSA § 2123, 2nd sentence, as amended by PL 1969, c. 474, § 2, is further amended to read:

Whoever ~~violates or~~ fails to obtain a certificate of inspection within 35 days following the expiration of the previous certificate of inspection or who fails to comply with any provision of sections 1369, 1370 and 2122 to 2127, or any rules or regulations established thereunder, shall be punished by a fine of not less than \$10 nor more than \$100, or by imprisonment for not more than 90 days, or by both.

Sec. 2. 29 MRSA § 2123, as amended by PL 1969, c. 474, § 2, is further amended by adding a new paragraph to read:

Whenever any police officer demands proof of inspection during the 35-day period following the expiration of the previous certificate of inspection, and certification cannot be produced, the owner or operator of the motor vehicle or both shall have up to 7 days within the 35-day period following the expiration of the previous inspection certificate, but not extending beyond said period, to obtain a current certificate of inspection. Notification of passage of inspection, certified and dated by the inspector, shall be sent to the police officer who demanded the inspection or to his headquarters. Failure to obtain a current certificate of inspection following a warning shall incur the same penalty as the failure to obtain a certificate of inspection within 35 days of the expiration of the previous certificate.

FISCAL NOTE

It is estimated that \$40,000 in annual revenue to the General Highway Fund will be lost as a result of the decrease in the issuance of inspection certificates. It is also estimated that a few thousand dollars will be lost annually to the General Fund as a result of the decrease in the number of fines.

STATEMENT OF FACT

The purpose of this bill is to provide a grace period of 35 days for an owner or operator who is stopped by a police officer for failing to have a current certificate of inspection. It is the intent of this bill to suspend the penalty requirements of the Revised Statutes, Title 29, section 2123 until after the expiration of the 35-day grace period.