

MAINE STATE LEGISLATURE

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(Filing No. H-597)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
108TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 246, L.D. 336, Bill, "AN ACT to Revise Certain Motor Vehicle Related Laws."

Amend the bill in section 2 in the 4th line (same in L.D.) after the amending clause by striking out the underlined words "but shall not include" and inserting in their place the underlined word 'including'

Further amend the bill in section 5 in the 1st and 2nd lines (same in L.D.) after the amending clause by striking out the underlined words and punctuation ", truck or truck tractor,"

Further amend the bill by inserting after section 5 the following:

'Sec. 5-A. 29 MRSA §113, 1st sentence is amended to read:

All registration number plates, issued by the Secretary of State, shall continue to be the property of the State, and the person to whom the same are issued shall surrender the same on demand of the Secretary of State or his designee whenever his registration certificate is suspended or revoked or has expired without renewal.

Sec. 5-B. 29 MRSA §154, as last amended by PL 1973, c. 211, §3, is further amended to read:

§154. Unused plates

The owner, or the surviving spouse, who returns number plates with an affidavit that they have never been used and the Secretary of State is satisfied that the number plates have never been used, shall be refunded the registration fee paid if such plates are returned within 120 days of the date of purchase.'

Further amend the bill by inserting after section 6 the following:

'Sec. 6-A. 29 MRSA §201, 2nd ¶, as enacted by PL 1975, c. 702, §4, is amended to read:

Each official shall deduct and retain from the use taxes collected pursuant to this subchapter a fee of ~~§~~ \$1.25 for each vehicle in respect to which a use tax certificate has been submitted in accordance with section 203 even though such certificate indicated that no use tax was due in respect to the vehicle in question.'

Further amend the bill by striking out section 7 and inserting in its place the following:

'Sec. 7. 29 MRSA §242-A is enacted to read:
§242-A. Special equipment; fees; plates

Special equipment shall be registered in accordance with this section to be drawn or to remain on any way in this State.

	<u>Fee</u>
<u>From 1 to 2,000 pounds</u>	<u>\$ 5</u>
<u>From 2,001 to 5,000 pounds</u>	<u>\$10</u>
<u>Over 5,000 pounds</u>	<u>\$15'</u>

Further amend the bill by striking out section 8 and inserting in its place the following:

'Sec. 8. 29 MRSA §245-A, as last amended by PL 1975, c. 770, §§140 and 141, is repealed and the following enacted in its place: §245-A. Certain semitrailers

Any person, partnership or corporation, owning or leasing and applying for registration of a semitrailer or trailer, may make application upon a blank supplied by the Secretary of State for a semipermanent registration plate to be displayed on the rear of the semitrailer/so owned or leased. The persons, partnerships or corporations must be Maine residents or if they are not, must have a place of business and an address in Maine and must operate and register a truck-tractor in the State of Maine. The Secretary of State shall furnish ←→ the person, partnership or corporation with one semi-permanent plate for each such semitrailer or trailer, which plate shall expire at the end of each 8-year semipermanent plate program. The fee shall be \$10 for each semitrailer registration and \$5 for each trailer registered

for not more than 2,000 pounds, GVW, for each registration year, or portion thereof, for the number of years of valid use from the year of issue to the end of the current semipermanent plate issue; and there shall be no refund of payment of such fee, except that when a plate is returned within 120 days of the effective date of that year's registration with an affidavit that the plate has never been used and the Secretary of State is satisfied that the plate has never been used, the pro rata amount, based upon the unused portion of the semipermanent plate period at the time of surrender of the registration, shall be refunded. Any trailer registered for more than 2,000 pounds shall pay the annual registration fee as set forth in section 244.

With the concurrence of the Commissioner of Transportation, the Secretary of State is authorized to promulgate rules and regulations for the payment of the fees required under this section in annual or biennial installments. In promulgating such rules and regulations, the Secretary of State shall consider the financial impact of the registration fee on the registrants, the benefit or burden of such installment paying on the state revenues and the difficulty which the Motor Vehicle Division may encounter in administering this section.

The Secretary of State shall require the appointment of a true and lawful agent or representative for each and every.

nonresident applicant. The agent or representative shall be a Maine resident and shall sign the registration certificate. Legal process served upon a registrant's designated agent or representative shall be deemed to be service upon the registrant. This applies only to nonresident individuals, partnerships or corporations applying for semitrailer or trailer plates.

For the purposes of this section, a foreign corporation shall be deemed a resident of this State if it has duly registered to do business in this State and is in fact doing some business in this State pursuant to Title 13-A, chapter 12 or predecessor or successor statutes thereto.'

Further amend the bill by inserting before section 9 the following:

'Sec. 8-A. 29 MRSA §246, 3rd ¶, as last amended by PL 1973, c. 614, §1, is further amended to read:

The annual fee for registration of farm motor trucks, having 2 or 3 axles, when such trucks are used primarily for transportation of agricultural commodities, supplies or equipment to be used in connection with the operation of a farm or farms owned, operated or occupied by the registrant, shall be as follows:

From 0 pounds gross weight to 6,000 pounds gross weight \$15

<u>From 6,001 pounds gross weight to 9,000 pounds gross</u> <u>weight</u>	<u>\$ 18</u>
From 9,001 pounds gross weight to 11,000 pounds gross weight	\$ 21
From 11,001 pounds gross weight to 14,000 pounds gross weight	\$ 32
From 14,001 pounds gross weight to 16,000 pounds gross weight	\$ 43
From 16,001 pounds gross weight to 18,000 pounds gross weight	\$ 64
From 18,001 pounds gross weight to 20,000 pounds gross weight	\$ 75
From 20,001 pounds gross weight to 23,000 pounds gross weight	\$ 90
From 23,001 pounds gross weight to 26,000 pounds gross weight	\$105
From 26,001 pounds gross weight to 29,000 pounds gross weight	\$125
From 29,001 pounds gross weight to 32,000 pounds gross weight	\$140
From 32,001 pounds gross weight to 35,000 pounds gross weight	\$200
From 35,001 pounds gross weight to 38,000 pounds gross weight	\$220
From 38,001 pounds gross weight to 42,000 pounds gross weight	\$240

From 42,001 pounds gross weight to 46,000 pounds gross
weight \$260
From 46,001 pounds gross weight to 50,000 pounds gross
weight \$280'

Further amend the bill in section 13 in the 3rd line (2nd line) after the amending clause by inserting after the underlined words "only with the" the underlined word 'written'

Further amend the bill by inserting before section 22 the following:

'Sec. 21-A. 29 MRSA §2241-B, as enacted by PL 1971, c. 292, §2, is amended to read:

§2241-B. Surrender and return of license

The Secretary of State, upon suspending or revoking a license, shall require that such license be surrendered to him or his designee.

Any person whose license has been suspended or revoked shall immediately return his license to the Secretary of State or his designee.

Sec. 21-B. 29 MRSA §2241-F is enacted to read:

§2241-F. Designees, agents, deputies of the Secretary of State

Upon request of the Secretary of State, notification of the suspension or revocation of any certificate of registration or

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any license issued to any person to operate a motor vehicle shall be served, and any certificate of registration, any license issued to any person to operate a motor vehicle or any registration plates shall be confiscated or an investigation pursuant to the enforcement of this Title shall be undertaken by the sheriff of the county in which such person resides or by any of his deputies, by any state or local enforcement officer or by an employee of the Secretary of State.'

Statement of Fact

The intent of this amendment is to correct a number of deficiencies in the present motor vehicle laws that were not addressed by the bill.

The purpose of the amendment establishing section 5-B is to curb the problem which allows full refund for unused plates of regardless/when the plates were issued. This amendment requires that unused plates be returned within 120 days in order to receive a refund.

The purpose of the amendment establishing section 6-A is to underwrite the administrative cost for those employees needed to process sales tax collections.

The purpose of amending section 8 is to use the same plates and registration certificates for both long-term semitrailer and

long-term trailer registrations, simply by indicating the gross vehicle weight (GVW) on the registration form.

The purpose of the amendment establishing section 8-A is to establish fee schedules for those farm trucks weighing from 0 - 9,000 pounds gross weight.

The intent of sections 5-A, 21-A and 21-B is to permit the Secretary of State to use existing law enforcement officials on the local and county level to confiscate licenses, certificates of registration and registration plates of persons who have been found in violation of the law in which suspension or revocation is necessary. Presently, the Secretary of State must rely primarily on department investigators to confiscate registration certificates and plates and licenses and the investigators are unable to confiscate the plates and papers at the same rate as the violations occur. Many persons found in violation of the law evade the investigators and create considerable time and expense to enforce the law. By using local and county law enforcement officials, who often know the individual violators or have easier access to these people, the time and expense of enforcement will be significantly reduced. In addition, the backlog of violators whose licenses or registrations have not been confiscated will be reduced.

Reported by the Committee on Transportation.

Reproduced and distributed under the direction of the Clerk of the House.

6/14/77

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