

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 564

H. P. 447

House of Representatives, February 14, 1979

On Motion of Mr. Carroll of Limerick referred to the Committee on Transportation. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Davies of Orono.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Provide a Motor Vehicle Inspection Sticker Procedure for Vehicles Failing an Inspection.

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

Sec. 1. 29 MRSA § 2122, first ¶, as last amended by PL 1977, c. 268, § 1, is further amended by inserting before the last sentence the following:

If, at the time of the inspection, the condition of the vehicle does not conform in each and every respect as required by law and the rules and regulations governing inspections promulgated by the Chief of the State Police, a sticker signifying that the vehicle did not conform to inspection standards shall be placed in the lower left hand corner of the windshield or in the center of the windshield back of the rear view mirror, as the owner or operator may prefer. If the vehicle is not normally equipped with a windshield, the sticker shall be kept with the registration certificate of the vehicle. The sticker of nonconformance shall be of a size no less than 3x6 inches and be red in color. It shall be furnished by and in a form designated by the Chief of the State Police. This sticker shall be valid for 10 days after its issuance and shall give authorization for the vehicle to be operated on any highway during that 10-day period. The owner or operator of any vehicle for which a sticker of nonconformance is issued shall, within the 10-day operational period authorized by the sticker, return to the inspection station which issued the sticker and shall cause the vehicle to be inspected again. If the vehicle meets the

inspection requirements of the sticker an official inspection sticker shall be issued for that vehicle. If any vehicle fails to conform to the inspection standards of this section after a reinspection, pursuant to this section, no nonconformance sticker shall be issued. A sticker of nonconformance shall not be removed from any vehicle except by the inspection station which issued that sticker.

Sec. 2. 29 MRSA § 2122, 3rd ¶, last sentence, as amended by PL 1973, c. 291, § 2, is further amended to read:

The \$2 \$3 fee as required by law for semiannual inspection shall not apply in such case.

Sec. 3. 29 MRSA § 2122-A, as enacted by PL 1975, c. 731, § 60, is amended to read:

§ 2122-A. **Failure to display inspection certificate**

It shall be unlawful for any owner or operator, or both, of any vehicle required to be inspected under section 2122 to operate or permit to be operated such vehicle without having displayed thereon a current and valid certificate of inspection or a **current and valid sticker that the vehicle has not conformed to the inspection standards of section 2122** or fail to produce same on demand of any police officer.

Sec. 4. 29 MRSA § 2123, sub-§ 2, as repealed and replaced by PL 1977, c. 696, § 217, is amended by inserting at the end the following new sentence:

This subsection shall not apply to persons who own or are operating a vehicle with an expired sticker stating that the vehicle has not conformed to the inspection standards of section 2122.

Sec. 5. 29 MRSA § 2124, 5th ¶, first sentence, as amended by PL 1967, c. 494, § 23-A, is further amended to read:

No person other than the holder of a valid inspection mechanic's certificate issued by the Chief of the State Police shall perform an inspection, issue or sign a certificate of inspection or a **sticker stating that the vehicle has not conformed to the inspection standards of section 2122.**

Sec. 6. 29 MRSA § 2124, 6th ¶, as amended by PL 1973, c. 231, is further amended to read:

No person shall make, have in his possession, issue or knowingly use any imitation or counterfeit of an official certificate of inspection or have in his possession, issue or knowingly use a certificate of inspection or a **sticker stating that the vehicle has not conformed to the inspection standards of section 2122** that was not issued by an official inspection station in accordance with this Title or the rules and regulations promulgated by the Chief of the State Police governing motor vehicle inspection.

Sec. 7. 29 MRSA § 2124, 7th ¶ is amended to read:

No person shall display or cause or permit to be displayed upon any vehicle any certificate of inspection or a sticker stating that the vehicle has not conformed to the inspection standards of section 2122 knowing the same to be fictitious or issued to another vehicle or issued without an inspection having been made.

Sec. 8. 29 MRSA § 2125, as last amended by PL 1973, c. 291, § 4, is further amended to read:

§ 2125. Fees

The operator of any official inspection station, or his agent, shall conduct the inspection of motor vehicles presented to him for that purpose in accordance with section 2122 and with the rules and regulations promulgated by the Chief of the State Police, for which he shall receive a fee of ~~\$2~~ \$3 for each vehicle inspected, this sum not to include labor or material used in correction of faults in equipment. **If any person is issued a sticker that the vehicle has not conformed to the inspection standards of section 2122, the fee shall be \$3 for the initial inspection and issuance of the sticker of nonconformance and \$3 for the 2nd inspection.**

STATEMENT OF FACT

The purpose of this bill is to provide a procedure whereby vehicles that fail inspection can get a sticker that is valid for 10 days during which time they can have the vehicle reinspected.