

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1089

H. P. 881

House of Representatives, March 7, 1979

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

EDWIN H. PERT, Clerk

Presented by Mrs. Masterton of Cape Elizabeth.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Provide Driver Competency Testing for Mopeds.

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

Sec. 1. 29 MRSA § 249, as last amended by PL 1977, c. 402, § 2, is further amended by adding at the end a new paragraph to read:

A certificate of registration and registration plates shall not be issued to an owner of a moped unless the owner possesses a valid certificate of competency as required by section 531.

Sec. 2. 29 MRSA § 530, sub-§ 2, ¶ D, as enacted by PL 1977, c. 692, § 3, is amended by adding at the end, 2 new paragraphs to read:

No person shall operate a moped unless the individual holds a certificate of competency issued by a moped dealer or by the Division of Motor Vehicles certifying that the holder has demonstrated competency of operation and satisfactory performance in operating a moped. The moped dealer or the Division of Motor Vehicles may charge a fee not to exceed \$3 to cover the cost of administering the competency test and issuing the certificate. One copy of the certificate shall be sent to the Secretary of State within 30 days from the date the certificate was issued to the operator. Certificate of competency forms shall be issued by the Secretary of State to moped dealers.

The competency test required in this subsection shall be prescribed by the Secretary of State. Owners of mopeds with a current valid moped registration shall be exempt from this subsection.

STATEMENT OF FACT

The purpose of this bill is to prevent motor vehicle accidents that result from operator ignorance of moped operation. There have been some accidents involving mopeds which the moped operator did not have sufficient knowledge of how to operate the moped. Operators of motorcycles, automobiles and other vehicles are required to be tested and licensed prior to their operation of these vehicles. It is logical to require moped operators to demonstrate an ability to operate mopeds.

This bill does not create a costly or cumbersome licensing system. It only requires the operator to demonstrate before a moped dealer or at a branch of the Division of Motor Vehicles sufficient ability to operate a moped. If the operator satisfactorily demonstrates an ability to operate the moped, the dealer will issue a certificate provided by the Secretary of State.

At the present time, many motor vehicle dealers permit prospective buyers to operate vehicles in which the buyers show an interest and show prospective buyers how to operate these vehicles. Therefore, a competency test for moped operators will not create significant burden for moped dealers.

Owners of mopeds with a current valid registration are exempt from the provisions of the bill.