

MAINE STATE LEGISLATURE

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(EMERGENCY)
FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 1179

H. P. 991

House of Representatives, March 9, 1981

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

EDWIN H. PERT, Clerk

Presented by Representative Moholland of Princeton.

Cosponsors: Representative Carroll of Limerick, Senator Emerson of Penobscot and Senator Usher of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Provide Reciprocal Fees and Charges for Trucks from other States.

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

Whereas, currently, Maine residents involved in the trucking industry are charged various excessive fees when they operate their trucks in other states and provinces; and

Whereas, residents of other states and provinces who operate trucks in Maine are not charged these excessive fees and rates; and

Whereas, the current economic conditions have made it imperative that this inequity be corrected in order to permit Maine residents to operate on an equal footing with residents of other states and provinces; and

Whereas, correction of this problem must be made immediately in order to prevent great economic hardship on Maine residents operating trucks in other states and provinces; 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:

29 MRSA c. 11, sub-c XIV is enacted to read:

**SUBCHAPTER XIV
RECIPROCAL FEES AND CHARGES FOR
TRUCKS, TRACTORS AND TRACTOR-TRAILERS**

§ 2071. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. **Fees.** “Fees” include permit fees, operations fees, mileage fees, fuel use fees or taxes or any other similar fees.

2. **Foreign-domiciled person.** “Foreign-domiciled person” means any individual, partnership or corporation domiciled in any state or province outside of the State.

3. **Maine-domiciled person.** “Maine-domiciled person” means any individual, partnership or corporation domiciled within the State.

4. **Truck.** “Truck” means a truck, tractor or tractor-trailer.

§ 2072. Fees and charges for foreign-domiciled person

Notwithstanding this Title or Title 36, if a foreign-domiciled person operates a truck in this State and if the fees charged for similar activity by a Maine-domiciled person by the state or province of the foreign-domiciled person for the same type and weight of truck is greater than the fees charged the foreign-domiciled person by the State, then any applicable or similar fees for the truck operated by the foreign-domiciled person shall be the same amount of money as that charged by the state or province of the foreign-domiciled person for the same activity by a Maine-domiciled person for that same type and weight of truck.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

STATEMENT OF FACT

This purpose of this bill is to provide that persons domiciled outside the State who are involved in trucking in the State pay the same fees and charges as Maine residents are charged to operate trucks in the foreign state or province.