

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 980

7 S.P. 335

In Senate, March 3, 1983

8 Referred to the Committee on Transportation. Sent down for concurrence
9 and ordered printed.

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Diamond of Cumberland.

Cosponsor: Senator Danton of York.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT to Authorize the Commissioner
18 of Transportation in Maine to Enter into
19 Interstate Agreements Related to Reciprocal
20 Enforcement of Fuel Use Laws.
21

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

24 Sec. 1. 23 MRSA §4206, sub-§1, ¶I, as amended by
25 PL 1981, c. 492, Pt. D, §3, is further amended to
26 read:

27 I. To accept and receive and be the sole admin-
28 istrator of all federal or other moneys for and
29 in behalf of this State or any political subdivi-
30 sion thereof now or hereafter available for pur-
31 poses of transportation or which would further
32 the intent and specific purposes of this chapter;
33 and

1 Sec. 2. 23 MRSA §4206, sub-§1, ¶J, as amended by
2 PL 1981, c. 492, Pt. D, §4, is further amended to
3 read:

4 J. To oversee matters relating to railroad
5 safety, provided that jurisdiction of the commis-
6 sioner shall in no way diminish, infringe upon or
7 replace the jurisdiction of the United States
8 Department of Transportation, Federal Railroad
9 Administration with regard to employee safety-;

10 Sec. 3. 23 MRSA §4206, sub-§1, ¶L, as enacted by
11 PL 1981, c. 591, is amended to read:

12 L. To coordinate efforts for the publication of
13 a consolidated state outdoor recreational map.
14 All state departments shall cooperate with the
15 Department of Transportation for the purpose of
16 this paragraph. The map shall include highway
17 information, outdoor recreational information and
18 such other information as will best promote the
19 safety, convenience and welfare of the people
20 using it and the economic development of the
21 State.

22 Notwithstanding this paragraph or any other
23 provision of law, the Department of Transporta-
24 tion shall not be required to produce a consoli-
25 dated map of the State if a similar map is pro-
26 duced and marketed by a private publishing com-
27 pany. The similar map shall show expressways,
28 roads, highways and interchanges in the State, at
29 a minimum, at the same level of detail as is
30 shown in the most recent official transportation
31 map distributed by the Department of Transporta-
32 tion. Not later than January 15, 1983, the
33 Department of Transportation shall submit to the
34 joint standing committee of the Legislature hav-
35 ing jurisdiction over State Government a report
36 on the implementation of this paragraph, includ-
37 ing, but not limited to:

38 (1) A comparison and evaluation of the pri-
39 vate map and the most recent official map;

1 (2) A description and evaluation of the ad-
2 equacy of circulation of the private map
3 throughout the State; and

4 (3) Recommendations on continuing or modi-
5 fying the authority contained in this para-
6 graph; and

7 Sec. 4. 23 MRSA §4206, sub-§1, ¶M is enacted to
8 read:

9 M. To enter into agreement with other states,
10 the District of Columbia and Canadian Provinces,
11 with the approval of the Governor of Maine and
12 the Maine Legislature, providing for the reciproc-
13 al enforcement of the fuel use tax laws imposed
14 by the states or provinces entering into such an
15 agreement, and empowering the duly authorized
16 officer of any contracting state or province,
17 which extends like authority to officers or
18 employees of this State, to sue for the collec-
19 tion of the state's or province's fuel use taxes
20 in the courts of this State.

21 Sec. 5. 36 MRSA §3040 is enacted to read:

22 §3040. Interstate compact

23 The Commissioner of Transportation shall nego-
24 tiate with any or all of the states of Maine, Con-
25 necticut, Rhode Island, New Hampshire and Massachu-
26 setts an interstate compact or agreement for the
27 implementation of a uniform truck annual user license
28 fee in Maine and any of those states. The commis-
29 sioner, with the approval of the Governor and the
30 Maine Legislature, may enter into that compact or
31 agreement on condition that the compact or agreement
32 provides that the: Annual user license fee for each
33 state shall be uniform; compact or agreement provides
34 for the collection of the annual user license fee for
35 any other state by the state in which the motor truck
36 is registered; compact or agreement provides for the
37 disbursement of revenues due to other states subject
38 to the compact or agreement; compact or agreement
39 provides for the free exchange of information between
40 and among the states subject to the compact or agree-

1 ment; and compact or agreement provides for the
2 establishment of common identification tags or
3 decals. The compact or agreement shall provide for
4 reciprocal enforcement of the laws establishing the
5 annual user license fees and for the auditing of all
6 books, records and logs of the operator of a motor
7 truck by the state in which the motor truck is regis-
8 tered, which pertains to travel in it and any other
9 state subject to the compact or agreement.

10

STATEMENT OF FACT

11 This bill authorizes the Commissioner of Trans-
12 portation to negotiate agreements with other states
13 to establish common fuel use fees, similar enforce-
14 ment policies, collection and disbursement of user
15 fees for any other state by the state in which the
16 truck is registered, and the establishment of common
17 identification tags or decals. This legislative pro-
18 posal reflects the concern of legislative leaders in
19 New England who recognize the need to rationalize and
20 standardize trucking fee systems to reduce the amount
21 of individual state differences and to prevent
22 retaliatory behavior in the imposition of user taxes.
23 The New England State Interstate Trucking Fee Compact
24 is an agreement that is currently being considered
25 for adoption, and the Vermont and New Hampshire leg-
26 islatures have introduced similar legislative
27 initiatives to sanction compacts of this type.

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