

MAINE STATE LEGISLATURE

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L.D. 2412
(Filing No. H-685)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
111TH LEGISLATURE
SECOND REGULAR SESSION

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HOUSE AMENDMENT "C" to H.P. 1820, L.D. 2412,
Bill, "AN ACT to Amend Certain Motor Vehicle Laws."

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Amend the bill by striking out all of section 15
and inserting in its place the following:

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'Sec. 15. 29 MRSA §1654, 2nd ¶, as enacted by PL
1975, c. 237, §5, is repealed and the following en-
acted in its place:

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The court shall apply the following schedule in
determining the fine to be imposed; the fine to be
based upon the amount of gross weight or axle weight
in excess of the limits prescribed in section 1652.

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If the excess on any single axle, tandem or
tridem axle is less than 2,000 pounds, and if the
gross vehicle weight, as specified in section 1652 or
1655, whichever is applicable, is exceeded by less
than 1,000 pounds multiplied by the number of axles
less one, then the fine shall be reduced by 50%. If
the excess on any single axle, tandem axle or tridem
axle is less than 1,000 pounds, and if the gross ve-
hicle weight, as specified in section 1652 or 1655,
whichever is applicable, is exceeded by less than 500
pounds multiplied by the number of axles less one,
then the fine shall be waived. If the excess is
greater than those enumerated in this paragraph, the
fine schedule shall apply.

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Notwithstanding the foregoing, nothing in this
section may be construed as to permit axle or gross
weights on the interstate system in excess of those
found in section 1652. Fines for violation of axles
and gross weight limits on the interstate systems
shall be calculated on the basis of the 6th para-
graph.

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	<u>Percent over basic weight</u> <u>allowed in section 1652</u>	<u>Fine schedule</u>
1		
2		
3	<u>1</u>	<u>\$10</u>
4	<u>2</u>	<u>\$20</u>
5	<u>3</u>	<u>\$30</u>
6	<u>4</u>	<u>\$40</u>
7	<u>5</u>	<u>\$50</u>
8	<u>6</u>	<u>\$60</u>
9	<u>7</u>	<u>\$70</u>
10	<u>8</u>	<u>\$80</u>
11	<u>9</u>	<u>\$90</u>
12	<u>10</u>	<u>\$100</u>
13	<u>11</u>	<u>\$120</u>
14	<u>12</u>	<u>\$140</u>
15	<u>13</u>	<u>\$160</u>
16	<u>14</u>	<u>\$180</u>
17	<u>15</u>	<u>\$200</u>
18	<u>16</u>	<u>\$220</u>
19	<u>17</u>	<u>\$240</u>
20	<u>18</u>	<u>\$260</u>
21	<u>19</u>	<u>\$280</u>

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1	<u>20</u>	<u>\$300</u>
2	<u>21</u>	<u>\$320</u>
3	<u>22</u>	<u>\$340</u>
4	<u>23</u>	<u>\$360</u>
5	<u>24</u>	<u>\$380</u>
6	<u>25</u>	<u>\$400</u>
7	<u>26</u>	<u>\$420</u>
8	<u>27</u>	<u>\$440</u>
9	<u>28</u>	<u>\$460</u>
10	<u>29</u>	<u>\$480</u>
11	<u>30</u>	<u>\$500</u>
12	<u>31</u>	<u>\$525</u>
13	<u>32</u>	<u>\$550</u>
14	<u>33</u>	<u>\$575</u>
15	<u>34</u>	<u>\$600</u>
16	<u>35</u>	<u>\$625</u>
17	<u>36</u>	<u>\$650</u>
18	<u>37</u>	<u>\$675</u>
19	<u>38</u>	<u>\$700</u>
20	<u>39</u>	<u>\$725</u>
21	<u>40</u>	<u>\$750</u>

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1	<u>41</u>	<u>\$800</u>
2	<u>42</u>	<u>\$850</u>
3	<u>43</u>	<u>\$900</u>
4	<u>44</u>	<u>\$950</u>
5	<u>45 or</u>	<u>\$1,000</u>
6	<u>greater'</u>	

7 FISCAL NOTE

8 The revenue losses generated by this amendment
9 cannot be determined at this time with any signifi-
10 cant degree of accuracy. However, it is expected
11 that the loss in penalty revenues to the Highway Fund
12 and General Fund will be less than the combined loss
13 of \$200,000 in revenues established in Legislative
14 Document 2412.

15 STATEMENT OF FACT

16 The purpose of this amendment is to provide more
17 equity with respect to the penalty provisions for
18 truck owners who purchase commodity permits and ex-
19 ceed the commodity permit weight level. Presently,
20 an owner of a truck or tractor trailer with eligible
21 commodities (qualify for 10% weight tolerance) who
22 does not purchase a commodity permit and exceeds the
23 weight level allowed by the applicable permit, the
24 penalty for the owner without the permit is the same
25 as the penalty imposed upon the owner who has pur-
26 chased the permit.

27 This amendment changes the structure of applying
28 the present penalty provision by:

29 1. Reducing the penalty as the number of axles
30 increases;

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1 2. Allowing a waiver of the penalty for vehicles
2 with commodity permits and which do not exceed the
3 authorized vehicle weight limit by 500 pounds and au-
4 thorized axle limits by 1,000 pounds; and

5 3. Allowing a 50% reduction in the penalty for
6 vehicles with commodity permits and which do not ex-
7 ceed the authorized vehicle weight by 1,000 pounds
8 and the authorized axle limits by less than 2,000
9 pounds.

10 The effect of this amendment will be to reduce
11 the penalty by 50% for vehicles with commodity per-
12 mits within the weight limit excesses of this bill as
13 compared to the penalty for vehicles without the com-
14 modity permit.

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