

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 75

6
7 S.P. 56

In Senate, January 16, 1985

8 Referred to the Committee on Transportation. Ordered printed and sent
9 down for concurrence.

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

Presented by Senator Danton of York.

11
12 STATE OF MAINE
13

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

17 AN ACT to Amend Certain Motor Vehicle Laws.
18

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

21 Sec. 1. 29 MRSA §102, last ¶, as amended by PL
22 1981, c. 299, §§2 and 3, is further amended to read:

23 No vehicle shall be operated, or remain upon any
24 way, unless the same is registered and equipped in
25 accordance with this Title, excepting that any offi-
26 cer of the State Police, any sheriff or full-time
27 deputy sheriff or any full-time municipal police of-
28 ficer may, when in his opinion the same is necessary
29 and not detrimental to the public safety, grant a
30 permit in writing for an unregistered motor vehicle
31 to be towed either by a regular service wrecker or by
32 the use of a towbar. Further, any officer of the
33 State Police, any sheriff or full-time deputy sher-
34 iff, any full-time municipal police officer and cer-
35 tain employees of the Motor Vehicle Division so des-
36 ignated by the Secretary of State shall issue a per-

1 mit to allow the operation of an unregistered motor
2 vehicle only to the owner's residence or to an office
3 of the Motor Vehicle Division for the sole purpose of
4 renewing the registration of that vehicle by the same
5 owner as indicated on the expired registration cer-
6 tificate. The permit shall be issued only when the
7 previous registration on the vehicle has expired
8 within 30 days. The permit shall not remain valid for
9 more than 3 consecutive days including the date of
10 issuance. Application for such registration may be
11 made by mail or otherwise to the Secretary of State
12 upon blanks prepared under his authority. The appli-
13 cation shall be signed by the owner and shall contain
14 such particulars as may be required by the Secretary
15 of State, including the name, residence and address
16 of the owner, current mileage, with a brief descrip-
17 tion of the vehicle, the name of its maker, vehicle
18 identification number, the amount of motive power,
19 stated in figures of horsepower, the type of motor
20 fuel if other than gasoline as defined in Title 36,
21 section 2902, under the phrase "internal combustion
22 engine fuel" and the actual gross weight of the vehi-
23 cle if intended for commercial use.

24 Sec. 2. 29 MRSA §191, sub-§2, as amended by PL
25 1983, c. 455, §10, is further amended to read:

26 2. Nonplate issue year. When a person fails to
27 reregister during a nonplate issue year and the reg-
28 istration remains expired for ~~6 consecutive months~~ 30
29 days, then his reservation of the same number may
30 cease and the number becomes available for reissu-
31 ance, reassignment, or both.

32 Sec. 3. 29 MRSA §247 is amended to read:

33 §247. -- antique motor vehicles

34 The annual fees for the registration of antique
35 motor vehicles shall be in accordance with this sec-
36 tion and shall accompany the application for regis-
37 tration.

38 Antique motor vehicles ~~§7-50~~ §10 each.

39 Sec. 4. 29 MRSA §253, 2nd ¶ is amended to read:

1 The Secretary of State shall restrict the operation
2 of such motorized invalid chairs to those
3 streets and highways and hours of the day as will, in
4 his judgment, minimize the danger of injury to the
5 operator. Section ~~2122~~ 2502 shall not apply to such
6 invalid chairs but the Secretary of State shall not
7 issue such registration unless he is satisfied that
8 such chair is equipped with an adequate stopping and
9 holding device and means of giving audible signal.

10 Sec. 5. 29 MRSA §256, sub-§1, as enacted by PL
11 1977, c. 142, is amended to read:

12 1. State vehicles. All state-owned vehicles
13 shall be registered by the Secretary of State, but
14 shall be exempt from this Title as to the payment of
15 registration fees, but shall not be exempt from the
16 inspection requirements of section ~~2122~~ 2502. Plates
17 for the vehicles shall be of a design determined by
18 the Secretary of State and shall expire at the end of
19 each 6-year semipermanent plate program. The vehicles
20 may, in addition, display a marker or insignia, ap-
21 proved by the Secretary of State, plainly designating
22 them as state-owned.

23 A. Motor vehicles used by departments, commis-
24 sions or agencies charged by law with law en-
25 forcement or investigatory functions, if used for
26 those purposes by personnel who have full-time
27 law enforcement or investigatory duties, shall
28 not be required to display a special registration
29 plate if the Commissioner of Public Safety so au-
30 thORIZES for he shall be the approving authority
31 for all unmarked vehicles except those used by
32 the Attorney General or members of his staff.
33 Records of all unmarked vehicles shall be desig-
34 nated and held confidential.

35 Sec. 6. 29 MRSA §256, sub-§2, as amended by PL
36 1977, c. 481, §9, is further amended to read:

37 2. Municipal vehicles. All county, municipal,
38 school and water district vehicles shall be regis-
39 tered with the Secretary of State who shall furnish
40 semipermanent plates for each vehicle which shall ex-
41 pire at the end of each 10-year semipermanent plate
42 program. The vehicles shall be exempt from this Title

1 as to payment of registration fees, but shall not be
2 exempt from the inspection requirements of section
3 ~~2122~~ 2502. The plate or plates shall be of a design
4 determined by the Secretary of State.

5 A municipal fire department or an organized volunteer
6 fire department may be exempt from this Title as to
7 registration and payment of registration fees, but
8 shall not be exempt from the inspection requirements
9 of section ~~2122~~ 2502.

10 All vehicles owned or used by any municipal corpora-
11 tion therein and all vehicles loaned by automobile
12 dealers to municipalities for use in driver education
13 in secondary schools and all motor vehicles loaned by
14 automobile dealers to private secondary schools for
15 use in driver education in the schools and all motor
16 vehicles used in volunteer ambulance and rescue squad
17 services in such municipalities shall be registered,
18 but shall be exempt from this Title as to the regis-
19 tration fees, except that when the vehicles are
20 leased or rented for commercial purposes they shall
21 be subject to payment of fees as provided in this Ti-
22 tle. All such vehicles shall display registration
23 plates as required by this Title or approved by the
24 Secretary of State.

25 Sec. 7. 29 MRSA §540, first ¶, as amended by PL
26 1983, c. 455, §18, is further amended to read:

27 Each license shall state the name, date of birth,
28 place of residence of the licensee, permanent number
29 assigned him, and may contain such other information
30 as the Secretary of State deems necessary. The li-
31 cense shall also bear a full-face photograph of the
32 licensee for the purpose of identification except
33 that persons who renew their licenses on or after
34 their 65th birthday, persons in active military ser-
35 vice stationed outside the State and temporary li-
36 censes issued under section 533 may be exempt from
37 the photograph requirement. A license which does not
38 contain a photograph of the licensee may be issued as
39 the Secretary of State deems necessary.

40 Sec. 8. 29 MRSA §540, 5th ¶, as enacted by PL
41 1981, c. 639, §2, is amended to read:

1 The statement shall read as follows:

2 "ANATOMICAL GIFT

3 organ The decal affixed hereto indicates a
4 willingness on the part of the licensee
5 donor to make an anatomical gift upon his/her
6 death."

7 Sec. 9. 29 MRSA §582, first ¶, as repealed and
8 replaced by PL 1975, c. 589, §21, is amended to read:

9 The Secretary of State may waive examination in
10 the case of applicants who have been duly licensed by
11 this State to operate a motor vehicle during any one
12 of the 3 5 preceding calendar years without a lapse
13 of 3 5 years since date of expiration of last 4-year
14 license, or 3 preceding calendar years without a
15 lapse of 3 years since date of expiration of last
16 2-year license. Any person required to take an exam-
17 ination to qualify him to operate a motor vehicle
18 shall pay an examination fee to the Secretary of
19 State prior to such examination being given. Such fee
20 shall be for the purpose of defraying the expense of
21 giving such examination and shall be according to the
22 class of license for which application was made as
23 follows:

1 STATEMENT OF FACT

2 Section 1 of this bill mandates that the current
3 mileage on a vehicle be recorded at the time of each
4 registration.

5 Section 2 changes the law from 6 months to 30
6 days before a registration expires and can be re-
7 issued.

8 Section 3 changes the fee to register an antique
9 motor vehicle from \$7.50 to \$10.

10 Section 4 removes the inspection requirement for
11 a motorized wheelchair.

12 Sections 5 and 6 place state vehicle inspection
13 requirements under the appropriate section in the in-
14 spection law, and place municipally-owned fire de-
15 partment vehicles under the appropriate section of
16 the inspection law.

17 Section 7 makes specific the type of
18 photo-picture to be placed on an operator's license.

19 Section 8 makes clear that both males and females
20 may donate organ parts upon their deaths.

21 Section 9 updates the lapsed license examination
22 requirements to conform to the 4-year license laws.
23 The current law applies to 2-year licenses.

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