

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE  
4

5 Legislative Document

No. 1088

6  
7 H.P. 768

House of Representatives, March 20, 1985

8 Submitted by the Department of Transportation pursuant to Joint Rule  
9 24.

10 On Motion of Representative Theriault of Fort Kent, referred to the  
Committee on Transportation. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Soucy of Kittery.

11 Cosponsored by Representative Pouliot of Lewiston and Representative  
McPherson of Eliot.

12 STATE OF MAINE  
13

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

17 AN ACT Relating to Under-registration  
18 Violations.  
19

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

22 Sec. 1. 29 MRSA §1656, as amended by PL 1983, c.  
23 94, Pt. B, §18, is repealed and the following enacted  
24 in its place:

25 §1656. Gross weight specified on certificate not to  
26 be exceeded on highway

27 Except as provided in section 1655, no person may  
28 operate, or cause to be operated, any vehicle with a  
29 gross weight that is more than 2 1/2% or 500 pounds,  
30 whichever is the greater, above the gross weight  
31 specified in the registration certificate for these  
32 vehicles, provided that no vehicle or combination of  
33 vehicles may be operated on the highway with a gross  
34 weight that exceeds those limits established by this  
35 Title.





1 While fines vary from court to court, they are gener-  
2 ally nominal and have not proved to be a deterrent to  
3 the practice of under-registration. The schedule  
4 recommended in this bill sets a maximum fine of \$500  
5 for operation at 40,000 pounds or more over the reg-  
6 istration certificate. The schedule is graduated and  
7 progressive in nature. Large violations are fined  
8 more severely than are lesser violations. The pro-  
9 visions that a proper registration be obtained for  
10 the remainder of the registration year is not al-  
11 tered.

12 Section 1 also provides that violators who are  
13 convicted 3 or more times within a 12-month period be  
14 assessed additional penalty equal to 10% of the fine  
15 levied. This additional penalty would be assessed  
16 against the person, firm or corporation responsible  
17 for the operation of the vehicle.

18 Section 2 of this bill provides for an effective  
19 date of January 1, 1986. Prior to January 1, 1986,  
20 the State Police shall inform all persons in viola-  
21 tion of the Maine Revised Statutes, Title 29, section  
22 1656, of changes in this section and its effect upon  
23 like future violations.

24 It is expected that increased registration com-  
25 pliance and increased fines would result in an addi-  
26 tional \$25,000 accruing to the Highway Fund.

27 Additional costs should be minimal, as the mecha-  
28 nisms currently exist to implement the provisions of  
29 this bill.

30

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