MAINE STATE LEGISLATURE

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	FIRST R	EGULAR SE	SSION	
ONI	E HUNDRED AN	D TWELFTH	LEGISLAT	URE
Legislative Doc	ument			No. 1088
H.P. 768		House of R	Representative	s, March 20, 1985
Submitted by	y the Department	of Transport	ation pursuar	it to Joint Rule
Committee on Ti	of Representative ransportation. Ser	it up for cond	currence and	
	resentative Soucy by Representativiot.		Lewiston and	Representative
	STAT	E OF MAIN	E	
N	IN THE Y	EAR OF OU RED AND E		E
AN A	ACT Relating Vi	to Under	-registra	tion
Be it enacte follows:	ed by the Pe	ople of t	he State	of Maine as
	318, is repe			PL 1983, c. wing enacted
	ss weight s exceeded on		on certif	icate not to
Except a	as provided	in section	n 1655, n	o person may
operate, or	cause to be	operated	, any veh	icle with a
				500 pounds,
	the great			ross weight
specified :				te for these
venicles, pr	covided that	no vehic	re or com	<u>bination of</u> with a gross
	exceeds tho			
Title.	CACECUS CHO.	CC TIMITOS	CDCADIIB	nea by chits

The penalty for the violation of this section shall be determined on the basis of the following schedule, and may be imposed on either the operator or whoever causes the operation, or may be imposed upon both, except that those operators employed by carriers holding permits or certificates from the Bureau of State Police who have not participated in the loading of the vehicle, shall not be subject to penalty. The operation of the vehicle shall be prima facie evidence that the operation was caused by the person, firm or corporation holding the permit or certificate for the vehicle from the Bureau of State Police.

REGISTRATION FINE SCHEDULE

15	not more than 2 1/2% or 500 poundsnot a violation
16	500 to 1,999 pounds if applicable\$25
17	2,000 to 2,999 pounds\$30
18	3,000 to 3,999 pounds\$35
19	4,000 to 4,999 pounds\$40
20	5,000 to 5,999 pounds\$45
21	6,000 to 6,999 pounds\$50
22	7,000 to 7,999 pounds\$55
23	8,000 to 8,999 pounds\$60
24	9,000 to 9,999 pounds\$65
25	10,000 to 10,999 pounds\$70
26	11,000 to 11,999 pounds\$75
27	12,000 to 12,999 pounds\$80
28	13,000 to 13,999 pounds\$85
29	14,000 to 14,999 pounds\$90
30	15,000 to 15,999 pounds\$95
31	16,000 to 16,999 pounds\$100
32	17,000 to 17,999 pounds\$110
33	18,000 to 18,999 pounds\$120
34	19,000 to 19,999 pounds\$130
35	20,000 to 20,999 pounds\$140
36	21,000 to 21,999 pounds\$150
37	22,000 to 22,999 pounds\$160
38	23,000 to 23,999 pounds\$170
39	24,000 to 24,999 pounds\$180
40	25,000 to 25,999 pounds\$190
41	26,000 to 26,999 pounds\$200
42	27,000 to 27,999 pounds\$215
43	28,000 to 28,999 pounds\$230
44	29,000 to 29,999 pounds\$245
45	30,000 to 30,999 pounds\$260

_	22 000 + 22 000 - 32
3	33,000 to 33,999 pounds\$325
4	34,000 to 34,999 pounds\$350
5	35,000 to 35,999 pounds\$375
6	36,000 to 36,999 pounds\$400
7	37,000 to 37,999 pounds\$425
8	38,000 to 38,999 pounds\$450
9	39,000 to 39,999 pounds\$475
10	40,000 pounds on pounds
10	40,000 pounds or more\$500
11	The Secretary of State, with the advice of the
12	Bureau of State Police, shall maintain records relat-
13	ing to violations of this section. At a minimum, the
14	records shall contain the name and business address
15	of the person, firm or corporation having control of
16	the vehicle convicted of violation of this section.
17	
	Upon the 3rd or subsequent conviction for a violation
18	of this section within the preceding 12 months by a
19	person, firm or corporation having control of the ve-
20	hicle, an additional penalty of 10% of the fine as
21	determined by this section shall be assessed.
22 23 24 25 26 27 28 29	For the purposes of this section, control shall be determined by possessing the permit or certificate issued by the Bureau of State Police, by being the registered owner or, in the case of leased vehicles, by being the lessee. Sec. 2. Effective date. Section 1 of this Act shall take effect January 1, 1986. Until January 1, 1986, the State Police shall inform violators of
30	changes in the Maine Revised Statutes, Title 29, sec-
31	tion 1656.
	CION 1656.
32	STATEMENT OF FACT
33	The purpose of this bill is to discourage the op-
34	eration of under-registered vehicles on state high-
35	ways.
	-
36 37 38	Section 1 of this bill replaces the current fine for the operation of under-registered vehicles with a schedule based on pounds over the registered weight.
39	The current fine for this violation ranges from \$10

31,000 to 31,999 pounds.....\$275 32,000 to 32,999 pounds.....\$300

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The current fine for this violation ranges from \$10

to \$250 and is at the discretion of the courts.

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

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28 29 Section 1 also provides that violators who are convicted 3 or more times within a 12-month period be assessed additional penalty equal to 10% of the fine levied. This additional penalty would be assessed against the person, firm or corporation responsible for the operation of the vehicle.

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

It is expected that increased registration compliance and increased fines would result in an additional \$25,000 accruing to the Highway Fund.

Additional costs should be minimal, as the mechanisms currently exist to implement the provisions of this bill.

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