

# MAINE STATE LEGISLATURE

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1 (EMERGENCY)  
2 SECOND REGULAR SESSION  
3

4 ONE HUNDRED AND TWELFTH LEGISLATURE  
5

6 Legislative Document

No. 1707

7  
8 S.P. 665

In Senate, December 20, 1985

9 Approved for introduction by a majority of the Legislative Council  
10 pursuant to Joint Rule 26.

11 Received by the Secretary of the Senate on December 20, 1985. Referred  
to the Committee on Taxation and 1,600 ordered printed pursuant to Joint  
Rule 14.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Twitchell of Oxford.

12 Cosponsored by Representative Jackson of Harrison.

13 STATE OF MAINE  
14

15 IN THE YEAR OF OUR LORD  
16 NINETEEN HUNDRED AND EIGHTY-SIX  
17

18 AN ACT to Bring Title 29 into Agreement with  
19 the Regional Fuel Tax Agreement Laws.  
20

21 Emergency preamble. Whereas, Acts of the Legis-  
22 lature do not become effective until 90 days after  
23 adjournment unless enacted as emergencies; and

24 Whereas, Public Law 1983, chapter 817, passed by  
25 the 111th Legislature, Second Regular Session, en-  
26 acted the Regional Fuel Tax Agreement as Title 36,  
27 chapter 463; and

28 Whereas, Public Law 1983, chapter 863, passed by  
29 the 111th Legislature, First Special Session, re-  
30 enacted the Regional Fuel Tax Agreement as chapter  
31 463-A; and

32 Whereas, it is necessary to bring Title 29 into  
33 agreement with Title 36 in order to implement the  
34 provisions of the Regional Fuel Tax Agreement; and

1           Whereas, in the judgment of the Legislature,  
2 these facts create an emergency within the meaning of  
3 the Constitution of Maine and require the following  
4 legislation as immediately necessary for the preser-  
5 vation of the public peace, health and safety; now,  
6 therefore,

7           Be it enacted by the People of the State of Maine as  
8 follows:

9           Sec. 1. 29 MRSA §246-A, sub-§1, as amended by PL  
10 1983, c. 817, §1, is further amended to read:

11           1. Application. Notwithstanding any other pro-  
12 vision of law, a person owning, operating or causing  
13 operation of a vehicle on the highways of this State,  
14 subject to Title 36, chapter 453, 457, 459 or 463  
15 463-A, shall apply to the Secretary of State for a  
16 fuel use identification decal for each vehicle cov-  
17 ered by those reports or licensing requirement, ex-  
18 cept vehicles owned and operated by government agen-  
19 cies, vehicles bearing dealer registration plates  
20 pursuant to subchapter III-A and recreational vehi-  
21 cles.

22           Sec. 2. 29 MRSA §2241, sub-§1-A, as enacted by  
23 PL 1983, c. 334, §2, is amended to read:

24           1-A. Suspension for failure to comply with tax  
25 law. The Secretary of State or any Deputy Secretary  
26 of State may suspend all the certificates of regis-  
27 tration and all the fuel use identification decals  
28 issued by the State to any motor carrier without pre-  
29 liminary hearing upon showing by records or other  
30 sufficient evidence that the person responsible for  
31 complying with the payment of reporting provisions of  
32 Title 36, chapter 453, 457 ~~or~~, 459 or 463-A has  
33 failed to comply with the provisions in these chap-  
34 ters. The Secretary of State shall notify the motor  
35 carrier that all certificates of registration and all  
36 fuel use identification decals issued to that motor  
37 carrier are in suspension and that the motor carrier  
38 may request a hearing in writing within 10 days. Any  
39 suspension shall remain in effect pending the outcome  
40 of the hearing.

