

# 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. 2019

8 S.P. 804

In Senate, February 13, 1986

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

11 Reference to the Committee on Transportation suggested and ordered  
printed.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Dow of Kennebec.

12 Cosponsored by Representative Callahan of Mechanic Falls.

13 STATE OF MAINE  
14

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

18 AN ACT to Implement the International  
19 Registration Plan to Apportion Fees  
20 for Certain Commercial Vehicles.  
21

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

25 Whereas, in 1975 the Maine Legislature authorized  
26 membership in the International Registration Plan;  
27 and

28 Whereas, it is considered timely and advantageous  
29 to the Maine economy that the interstate trucking in-  
30 dustry now enter the International Registration Plan;  
31 and

32 Whereas, it is necessary for the Secretary of  
33 State to have one year to complete membership appli-  
34 cations and organize the registration process to al-  
35 low for apportioned registration of vehicles; 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 §242, sub-§1, ¶¶H and I are en-  
10 acted to read:

11           H. The Secretary of State shall issue, upon ap-  
12 plication and payment of \$5, a single cab card  
13 for each vehicle registered under the Interna-  
14 tional Registration Plan.

15           I. The Secretary of State shall, upon applica-  
16 tion and payment, issue a 72-hour trip permit for  
17 \$15 before entering this State for out-of-state  
18 vehicles eligible for apportioned registration,  
19 but not apportioned with this State. This permit  
20 allows for interstate and intrastate operations.

21           Sec. 2. 29 MRSA §245, as amended by PL 1981, c.  
22 492, Pt. E, §8, is further amended by adding at the  
23 end a new paragraph to read:

24           With the approval of the Secretary of State, an  
25 annual registration fee for the State under the In-  
26 ternational Registration Plan may be paid in quarter-  
27 ly installments. If the person in whose name a vehi-  
28 cle is registered fails to make timely payment of a  
29 fee or an approved quarterly installment of the fee,  
30 the Secretary of State may suspend without prelimi-  
31 nary hearing the registration of the vehicle pursuant  
32 to section 2241, subsection 3. In cases in which a  
33 vehicle has been registered as part of a fleet and  
34 there has been failure to make a payment for the ve-  
35 hicle, the Secretary of State may suspend registra-  
36 tions for all vehicles in the fleet.

37           Sec. 3. 29 MRSA §246, 5th ¶ from the end, as  
38 amended by PL 1973, c. 714, §§1 and 2, is further  
39 amended to read:

1           When a truck is already registered, except for  
2 vehicles with apportioned registration, the owner may  
3 receive a short-term permit allowing him to haul  
4 loads of larger tonnage, providing such loads are not  
5 in excess of the requirements of section 1652, for a  
6 limited period of 8 months or less. These short-term  
7 permits may be obtained, upon payment of the required  
8 fee, from any branch office of the Motor Vehicle Di-  
9 vision of the Department of State, from such troop  
10 barracks of the Maine State Police as shall be desig-  
11 nated by mutual agreement of the Commissioner of Pub-  
12 lic Safety and the Secretary of State, or from any  
13 agent of the Secretary of State who has been ap-  
14 pointed for that specific purpose. such agents ap-  
15 pointed by the Secretary of State may charge any ap-  
16 plicant for a short-term permit \$1 extra over and  
17 above the required permit fee and may retain said  
18 dollar as his compensation for performing this func-  
19 tion. No such permit shall be issued for less than  
20 one month and no permit shall extend beyond the expi-  
21 ration of the regular license. The appointment of  
22 such agents shall be limited to either municipal tax  
23 collectors or town or city managers. The fee shall  
24 be a percentage of the difference between the owner's  
25 present annual registration fee and the annual fee  
26 for the desired tonnage and shall be computed accord-  
27 ing to the following table:

28	1-month permit .....	20%
29	2-month permit.....	30%
30	3-month permit .....	40%
31	4-month permit .....	50%
32	5-month permit .....	60%
33	6-month permit.....	70%
34	7-month permit .....	75%
35	8-month permit .....	80%

36           Sec. 4. 29 MRSA §2243-A, as enacted by PL 1975,  
37 c. 245, is amended to read:

1     §2243-A. Reciprocal and apportioned registrations

2     Notwithstanding any other provisions of this Title,  
3     the Secretary of State, in concurrence with the  
4     Commissioner of Transportation, is authorized to enter  
5     into reciprocal agreements or plans on behalf of  
6     the State of Maine with the appropriate authorities  
7     of any of the states of the United States, the District  
8     of Columbia or any state or province of any  
9     country providing for the registration of vehicles on  
10    any apportionment or allocation basis and may, in the  
11    exercise of this authority, enter into and become a  
12    member of the International Registration Plan with an  
13    entry date of September 1, 1987.

14        1. Registration year. Fleets shall be apportioned  
15        under the International Registration Plan for  
16        a registration year from September 1st to August  
17        31st.

18        2. Application of plan. The International Registration  
19        Plan agreement shall prevail if in conflict  
20        with other provisions prescribed by law or rules regarding  
21        registration of vehicles. The Secretary of State shall promulgate  
22        rules to carry out provisions of the International Registration Plan.  
23

24        3. Registration transition. The annual registration  
25        of motor vehicles that are to be registered under the International  
26        Registration Plan become void on September 1, 1987, and the annual  
27        registration fees for these vehicles shall be prorated on a monthly  
28        basis and be rounded off to the nearest quarter of  
29        a dollar.  
30

31     The Secretary of State is further authorized to  
32     provide for the registration of a fleet of vehicles  
33     operated by a nonresident owner on an apportionment  
34     or allocation basis where such vehicles are regularly  
35     being operated between points without the State to  
36     points within the State.

37     For purposes of this section, a fleet shall mean  
38     one or more vehicles.

39     Sec. 5. 36 MRSA §1482, sub-§1, ¶C, as amended by  
40     PL 1981, c. 107, §1, is further amended to read:

1 C. Motor vehicles. For the privilege of operat-  
2 ing a motor vehicle upon the public ways, each  
3 motor vehicle, other than a stock race car, to be  
4 so operated shall be subject to such excise tax  
5 as follows: A sum equal to 24 mills on each dol-  
6 lar of the maker's list price for the first or  
7 current year of model, 17 1/2 mills for the 2nd  
8 year, 13 1/2 mills for the 3rd year, 10 mills for  
9 the 4th year, 6 1/2 mills for the 5th year and 4  
10 mills for the 6th and succeeding years. The mini-  
11 mum tax for a motor vehicle other than bicycle  
12 with motor attached shall be \$5, for bicycle with  
13 motor attached, \$2.50. The excise tax on a stock  
14 race car shall be \$5.

15 (2) On new registrations of automobiles,  
16 trucks and truck tractors, the excise tax  
17 payment shall be made prior to registration  
18 and shall be for a one-year period from the  
19 date of registration.

20 (4) Vehicles which are being registered un-  
21 der the International Registration Plan  
22 shall be subject to an excise tax determined  
23 on a monthly proration basis if their regis-  
24 tration period is less than 12 months.

25 Sec. 6. 36 MRSA §1482, sub-§5, ¶F is enacted to  
26 read:

27 F. Notwithstanding other provisions of this sec-  
28 tion, those vehicles which are being initially  
29 registered under the International Registration  
30 Plan shall be entitled to an excise tax credit  
31 apportioned on the basis of 1/12 for each month  
32 of the remaining months in the registration year  
33 for which an excise tax was previously paid.

34 Sec. 7. Allocation. The following funds are al-  
35 located from the Highway Fund to carry out the pur-  
36 poses of this Act.

37 1986-87

38 SECRETARY OF STATE,  
39 DEPARTMENT OF THE

1	Division of Motor Vehicles	
2	Positions	(3)
3	Personal Services	\$ 30,609
4	All Other	65,293
5	Capital Expenditures	54,250
6	Total	<u>\$150,152</u>

7 Funds to be used to im-  
8 plement the Internation-  
9 al Registration Plan for  
10 the initial 6 months of  
11 operation.

12 **Emergency clause.** In view of the emergency cited  
13 in the preamble, this Act shall take effect when ap-  
14 proved.

15 STATEMENT OF FACT

16 This bill implements statutory authority previ-  
17 ously granted for the Division of Motor Vehicles to  
18 enter the International Registration Plan for commer-  
19 cial vehicles with a gross registered weight over  
20 26,000 pounds.

21 Section 1 authorizes a charge of \$5 to help de-  
22 fray the extra administrative cost for preparing and  
23 issuing one apportioned cab card for each vehicle and  
24 authorizes trip permits for certain out-of-state ve-  
25 hicles at a fee of \$15 each.

26 Section 2 allows carriers with established credit  
27 to pay quarterly this State's share of the registra-  
28 tion fee, although full-year fees are to be collected  
29 and apportioned to other states. This also contains a  
30 penalty clause if the carrier fails to pay the amount  
31 due.

32 Section 3 prevents vehicles with apportioned reg-  
33 istration from receiving short-term permits to tempo-  
34 rarily boost their registered weight. An Internation-  
35 al Registration Plan registered vehicle may increase  
36 its initial registered gross hauling weight for the  
37 remainder of the registration year.

1 Section 4 specifies a registration year of Sep-  
2 tember 1st to August 31st for membership in the In-  
3 ternational Registration Plan. The Legislature has  
4 authorized membership since 1975. The provisions of  
5 the agreement replace the existing registration fees  
6 with a fee schedule apportioned for miles traveled  
7 and registered weight in other states. Any balance of  
8 a vehicle's annual registration fee is prorated  
9 monthly toward International Registration Plan appor-  
10 tioned fees starting September 1, 1987.

11 Sections 5 and 6 allow for proration of excise  
12 tax when vehicle registrations under the Internation-  
13 al Registration Plan are being changed from the stag-  
14 gered registration system to the annual September 1st  
15 to August 31st registration year.

16 Section 7 is an allocation for membership in the  
17 International Registration Plan which provides a  
18 6-month allocation in fiscal year 1987 for personnel  
19 support and computation of apportioned fees through  
20 the international registration information system. A  
21 minimum of \$30,000 to \$35,000 for support of at least  
22 one mileage and apportionment auditor will be needed  
23 starting with fiscal year 1990. The number of appor-  
24 tioned carriers and vehicles registered under Inter-  
25 national Registration Plan will determine the cost  
26 needed to provide audits that assure accurate appor-  
27 tionment of fees.

28 It is the intent of the Division of Motor Vehi-  
29 cles to study and implement a common expiration date  
30 for the International Registration Plan application  
31 and the Fuel Use Identification Decal application.

32

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