

MAINE STATE LEGISLATURE

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L.D. 191

(Filing No. H-275)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
113TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 150, L.D. 191,
Bill, "AN ACT to Amend Certain Motor Vehicle Laws."

Amend the bill by striking out all of section 2.

Further amend the bill by adding after section 2
the following:

'Sec. 3. 29 MRSA §245-A, first ¶, as amended by
PL 1979, c. 439, §9, is further amended to read:

Any person, partnership or corporation, owning or
leasing and applying for registration of a semitrailer
or trailer, may make application upon a blank sup-
plied by the Secretary of State for a semipermanent
registration plate to be displayed on the rear of the
semitrailer or trailer so owned or leased. The per-
sons, partnerships or corporations must be Maine res-
idents or if they are not, must have a place of busi-
ness and an address in Maine ~~and--must--operate--and~~
~~register--a--truck-tractor-in-the-State-of-Maine~~ or a
designated agent or representative resident in Maine.
The Secretary of State shall furnish the person,
partnership or corporation with one semipermanent
plate for each such semitrailer or trailer, which
plate shall expire either at the end of each 8-year
or 12-year semipermanent plate program or, in the
case of new semitrailers or new trailers, at the end
of the 12th registration year following the year of
issuance, depending upon the type of registration re-
quested by the applicant. The fee shall be \$10 for
each semitrailer registration and \$5 for each trailer
registration for not more than 2,000 pounds, GVW, for
each registration year, or portion thereof; and there
shall be no refund of payment of such fee, except
that when a plate is returned within 120 days of the
effective date of that year's registration with an

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1 affidavit that the plate has never been used and the
2 Secretary of State is satisfied that the plate has
3 never been used, the pro rata amount, based upon the
4 unused portion of the semipermanent plate period at
5 the time of surrender of the registration, shall be
6 refunded. Any trailer registered for more than 2,000
7 pounds shall pay the annual registration fee as set
8 forth in section 244.

9 **Sec. 4. 29 MRSA §253**, as amended by PL 1985, c.
10 429, §13, is further amended to read:

11 §253. Motorized invalid chairs

12 The Secretary of State on application shall is-
13 sue, without the payment of any fee, a ~~registration~~
14 ~~certificate and registration plates~~ special registra-
15 tion permit for a motorized invalid chair owned and
16 operated by any invalid person when such application
17 is accompanied by the certification of at least 2
18 ~~physicians~~ one physician as to such person's physical
19 incapacity.

20 The Secretary of State shall restrict the opera-
21 tion of such motorized ~~wheelchairs~~ invalid chairs to
22 those streets and highways and hours of the day as
23 will, in his judgment, minimize the danger of injury
24 to the operator. Section 2502 shall not apply to such
25 ~~wheelchairs~~ invalid chairs, but the Secretary of
26 State shall not issue such registration permit unless
27 he is satisfied that such chair is equipped with an
28 adequate stopping and holding device and means of
29 giving audible signal.

30 **Sec. 5. 29 MRSA §256, sub-§2**, as repealed and
31 replaced by PL 1985, c. 737, Pt. A, §81, is amended
32 to read:

33 2. Municipal vehicles. All county, municipal,
34 school and water district vehicles shall be regis-
35 tered with the Secretary of State who shall furnish
36 semipermanent plates for each vehicle which shall ex-

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1 pire at the end of each 10-year semipermanent plate
2 program. The vehicles shall be exempt from this Title
3 as to payment of registration fees, but shall not be
4 exempt from the inspection requirements of section
5 2502. The plate or plates shall be of a design deter-
6 mined by the Secretary of State.

7 Municipal vehicles used by full-time law enforcement
8 departments may be issued special police plates at
9 the request of the chief law enforcement official of
10 that municipality. The plates may only be attached
11 to municipally owned vehicles.

12 A municipal fire department or an organized volunteer
13 fire department may be exempt from this Title as to
14 registration and payment of registration fees, but
15 shall not be exempt from the inspection requirements
16 of section 2502.

17 All vehicles owned or used by any municipal corpora-
18 tion and all vehicles loaned by automobile dealers to
19 municipalities for use in driver education in second-
20 ary schools and all motor vehicles loaned by automo-
21 bile dealers to private secondary schools for use in
22 driver education in the schools, vehicles loaned to
23 state universities used in organized programs and all
24 motor vehicles used in volunteer ambulance and rescue
25 squad services in such municipalities shall be regis-
26 tered, but shall be exempt from this Title as to the
27 registration fees, except that when the vehicles are
28 leased or rented for commercial purposes they shall
29 be subject to payment of fees as provided in this Ti-
30 tle. All such vehicles shall display registration
31 plates as required by this Title or approved by the
32 Secretary of State.

33 Sec. 6. 29 MRSA §342, as amended by PL 1983, c.
34 818, §7, is further amended by adding at the end a
35 new paragraph to read:

36 The licensee shall conduct all sales from his es-
37 tablished place of business or from a permanent

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1 branch or annex location.'

2 Further amend the bill by adding before the
3 statement of fact the following:

4 'Sec. 15. 29 MRSA §1366, 4th ¶, as amended by PL
5 1971, c. 360, §35, is repealed and the following en-
6 acted in its place:

7 Every motor vehicle supported by 3 or more wheels
8 shall have on the rear of the motor vehicle 2 lamps,
9 one to the right of its axis and one to the left of
10 its axis, each capable of displaying a red light vis-
11 ible for a distance of at least 100 feet behind the
12 vehicle. When a vehicle is used in conjunction with
13 another vehicle or vehicles, only the last of the ve-
14 hicles shall be required to carry the lamp.

15 Sec. 16. 29 MRSA §1366, as amended by PL 1981,
16 c. 98, §9, is further amended to read by adding at
17 the end a new paragraph to read:

18 Every vehicle shall carry a lamp illuminating
19 with white light its rear registration plate so that
20 the characters on the plate shall be visible for a
21 distance of at least 50 feet.

22 Sec. 17. 29 MRSA §2241-E, as amended by PL 1985,
23 c. 481, Pt. A, §53, is further amended to read:

24 §2241-E. Suspension

25 Except for a court-ordered suspension under sec-
26 tion 2301 or 2301-A, any suspension authorized under
27 this Title shall be effective on a specified date not
28 less than 10 days after the mailing of the notifica-
29 tion of suspension and the period of suspension shall
30 be computed from that date. ~~For the purpose of the~~
31 ~~reinstatement fee, any~~ Any court-ordered suspension
32 under section 2301 or 2301-A shall be effective when
33 entered by the court. Upon motion and good cause
34 shown, the court ordering the suspension under sec-

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1 tion 2301 or 2301-A may waive all or any part of the
2 reinstatement fee.

3 Sec. 18. 20 MRSA §2301-A, first ¶, as amended by
4 PL 1981, c. 679, §57, is further amended to read:

5 If a person fails to appear in court on the day
6 specified in response to a Uniform Traffic Ticket and
7 Complaint, a summons, a condition of bail or order of
8 court for any violation of any provision of this Ti-
9 tle, or for any further appearance ordered by the
10 court, including one for the payment of a fine, ei-
11 ther in person or by counsel, the court shall suspend
12 his license or permit, his right to operate motor ve-
13 hicles in this State and the right to apply for or
14 obtain a license. ~~The effective date of the suspen-~~
15 ~~sion shall be governed by section 2241-B.~~

16 Sec. 19. 29 MRSA §2520, sub-§4 is enacted to
17 read:

18 4. Issuance of certificate for substandard vehi-
19 cle. No person may knowingly cause an official in-
20 pection sticker furnished by the Chief of the State
21 Police to be attached to a vehicle that does not con-
22 form to the inspection standard.'

23 Further amend the bill by renumbering the sec-
24 tions to read consecutively.

25 STATEMENT OF FACT

26 The first amendment strikes section 2 of the
27 original bill. Public Law 1987, chapter 117 accom-
28 plishes what section 2 of the bill proposed.

29 The purpose of the new section 3 is to delete a
30 requirement that nonresident applicants for semiper-
31 manent registration of semitrailers in Maine operate
32 and register the vehicle in Maine. The purpose of

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1 the added language is to clarify that the appointment
2 of a Maine resident as designated agent or represen-
3 tative will satisfy the requirement that nonresident
4 applicants for registration have "a place of business
5 and an address in Maine." This is similar to the reg-
6 istered agent concept for foreign corporations con-
7 tained in the Maine Revised Statutes, Title 13-A.

8 The new section 4 eliminates the need to issue
9 registration plates of invalid chairs.

10 The new section 5 allows municipal vehicles used
11 for full-time law enforcement departments to be is-
12 sued police plates.

13 The new section 6 prohibits sales at fair grounds
14 and other similar locations.

15 The new section 15 makes clear the left and rear
16 taillights are required standard equipment on most
17 motor vehicles. This requirement is consistent with
18 modern design and manufacturing standards and it pro-
19 motes safety.

20 The new section 16 transfers a present require-
21 ment for illumination of registration plates to a
22 more appropriate place in the Maine Revised Statutes,
23 Title 29, section 1366, consistent with section 15 of
24 the amendment, which amends the paragraph now con-
25 taining the requirement.

26 The new sections 17 and 18 eliminate possible
27 conflict between provisions for the effective date of
28 license suspension set forth in Title 29, sections
29 2301-A and 2241-E. It makes clear that a court may
30 immediately suspend a driver's license for
31 nonappearance or nonpayment of fine, notwithstanding
32 the general 10-day rule of section 2241-E.

33 The new section 19 prohibits attachment of an of-
34 ficial inspection sticker to a vehicle not meeting
35 the inspection standard. Present statutory language

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1 is unclear as to this offense. Pursuant to Title 29,
2 section 2521, the penalty for this offense would be a
3 fine of not less than \$25 nor more than \$500 or im-
4 prisonment for not more than 30 days, or both.

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Reported by the Committee on Transportation
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