

MAINE STATE LEGISLATURE

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L.D. 191

(Filing No. S-157)

STATE OF MAINE
SENATE
113TH LEGISLATURE
FIRST REGULAR SESSION

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

Amend the bill by inserting after the enacting
clause the following:

'Sec. 1. 29 MRSA §1, sub-§1-E, as amended by PL
1985, c. 429, §6, is further amended to read:

1-E. Bus. "Bus" means every motor vehicle de-
signed for carrying more than ~~14~~ 15 passengers, in-
cluding the operator, and used for the transportation
of passengers.'

Further amend the bill by adding after section 1
the following:

'Sec. 2. 29 MRSA §103, first ¶, as amended by PL
1977, c. 481, §4, is further amended to read:

Upon the presentation of an application for reg-
istration or title of a vehicle, the engine or serial
number or identification number of which has been
omitted, altered, removed or defaced, the Secretary
of State shall assign and attach a special number.
~~Said--Secretary-of-State-shall-issue-a-return-card-to~~
~~be-filled-in-by-the-operator-of--an--inspection--sta-~~
~~tion,--certifying--that--the--number--has--been--embossed,~~
~~stamped-or-entered-on-said-vehicle.~~ A record of the
special number shall be maintained by the Secretary
of State.'

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

'Sec. 3. 29 MRSA §192, first ¶, as amended by PL
1985, c. 559, §1, is further amended to read:

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1 The Secretary of State is authorized to design
2 and to issue, under such regulations as he shall deem
3 appropriate, initial type registration plates or com-
4 bination of initials and numeric type registration
5 plates to be used on passenger motor vehicles or mo-
6 tor vehicles of the station wagon type or pickup
7 trucks or motorcycles or ~~camper-vehicles~~ motor homes
8 or trailers not to exceed 2,000 pounds, whether semi-
9 trailers or 4-wheeled type or camp trailers, as de-
10 fined in section 1, subsection 1-G, in lieu of other
11 numeric type registration plates. Such plates shall
12 be of such design and shall bear such letters or let-
13 ters and numbers as the Secretary of State shall pre-
14 scribe, but there shall be no duplication of identi-
15 fication.

16 **Sec. 4. 29 MRSA §192, 4th ¶, as amended by PL**
17 **1975, c. 109, §2, is further amended to read:**

18 Applications for registration plates as pre-
19 scribed above, pertaining to owners of passenger ve-
20 hicles or motor vehicles of the station wagon type or
21 pickup trucks or motorcycles or ~~camper-vehicles~~ motor
22 homes who are residents of this State and who own an
23 unrevoked and unexpired official amateur radio sta-
24 tion license issued by the Federal Communications
25 Commission, except those licensed as novices by the
26 Federal Communications Commission, shall be accompa-
27 nied by a notarized proof of ownership of such ama-
28 teur radio station license. Registration plates is-
29 sued under this paragraph shall be inscribed with the
30 official amateur radio call letters of such applicant
31 as assigned by the Federal Communications Commission.

32 **Sec. 5. 29 MRSA §256, sub-§5 is enacted to read:**

33 5. School buses. All school buses shall be reg-
34 istered with the Secretary of State, who shall fur-
35 nish semipermanent plates for each vehicle, which
36 shall expire at the end of the 10-year semipermanent
37 plate program. The term "school bus" shall have the

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1 same meaning as in section 2011. School buses that
2 are publicly owned or operated under a lease of 30
3 days or more by a municipality or a school adminis-
4 trative district shall be exempt from the require-
5 ments for payment of registration fees. The Secre-
6 tary of State shall determine plate design.

7 **Sec. 6. 29 MRSA §342, 2nd ¶,** as amended by PL
8 1979, c. 673, §3, is further amended to read:

9 A person is "engaged in the business of buying,
10 selling, exchanging, offering to negotiate, negotiat-
11 ing or advertising the sale of a vehicle" if that
12 person buys ~~motor~~ vehicles for the purpose of resale,
13 sells or offers to negotiate the sale of more than 5
14 ~~motor~~ vehicles in any 12-month period, or displays or
15 permits the display of 3 or more ~~motor~~ vehicles for
16 sale at any one time or within any 30-day period upon
17 premises owned or controlled by him, unless that per-
18 son has owned and registered each vehicle for at
19 least 6 months.'

20 Further amend the bill by adding after section 6
21 the following:

22 '**Sec. 7. 29 MRSA §351-A,** as enacted by PL 1981,
23 c. 436, §6, is amended to read:

24 §351-A. Appeal from action of the Secretary of State

25 Any After a hearing before the Secretary of State
26 or his deputy, any person aggrieved by the act of the
27 Secretary of State to refuse to grant or renew a li-
28 cence under this subchapter or to suspend or revoke a
29 license or by any other act of the Secretary of State
30 which he alleges to be improper, unreasonable or un-
31 lawful under this subchapter may, within 30 days' no-
32 tice of the decision, appeal to the Superior Court
33 for a judicial review as provided in Title 5, chapter
34 375, subchapter VII.

35 **Sec. 8. 29 MRSA §355, sub-§1,** as enacted by PL

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1 1973, c. 529, §1, is amended to read:

2 1. Description. A description of vehicles, in-
3 cluding make, model, model year, body type, identifi-
4 cation number, color and whether new or used;'

5 Further amend the bill by striking out all of
6 section 8 and inserting in its place the following:

7 '**Sec. 8. 29 MRSA §530, sub-§1, ¶B,** as enacted by
8 PL 1977, c. 692, §3, is amended to read:

9 B. Any person who operates a motor vehicle on
10 any way without being duly licensed or without
11 holding a valid instruction permit or in viola-
12 tion of any condition or restriction placed on
13 the use of an instruction permit or operator's
14 license under the authority of this subchapter
15 shall be guilty of a Class E crime, except that a
16 person who operates a motor vehicle on a way and
17 who possesses a license that has expired within
18 the previous 180 days commits the traffic infrac-
19 tion of operating a motor vehicle with an expired
20 license. Any person who operates a motor vehicle
21 on a way and who possesses a license that has
22 been expired more than 180 days is guilty of the
23 Class E crime of operating without a license.

24 **Sec. 9. 29 MRSA §530, sub-§2, ¶B,** as amended by
25 PL 1979, c. 527, is further amended to read:

26 B. There shall be 3 classes of licenses which
27 shall entitle the holder to operate motor vehi-
28 cles or a combination of vehicles as follows:

29 (1) Class 1 shall include any motor vehicle
30 or combination of vehicles, including "Class
31 2 or 3," except school buses, motorcycles or
32 motor driven cycles;

33 (2) Class 2 shall include any single unit
34 vehicle exceeding ~~28,000~~ 26,000 pounds reg-

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1 Commercial Motor Vehicle Safety Act of 1986 passed by
2 the United States Congress in October of 1986, which
3 calls for the formation of a national system for li-
4 censing commercial drivers.

5 This amendment allows the State to comply with
6 the Commercial Motor Vehicle Safety Act of 1986
7 passed by the United States Congress in October 1986,
8 which calls for the formation of a national system
9 for licensing commercial drivers.

10 The amendment establishes different penalties for
11 individuals who drive without a valid drivers license
12 which expired less than versus more than 180 days
13 ago.

14 This amendment clarifies requirements for regis-
15 tration of school buses, which have not been explic-
16 itly provided for. Like other publicly controlled
17 vehicles, publicly controlled school buses will be
18 exempt from the requirement for payment of registra-
19 tion fees. Privately controlled school buses will
20 not be exempt from such requirements.

21 3372060987

22 (Sen. Dow)
23 SPONSORED BY: *Michael Dow*

24 COUNTY: Kennebec

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