

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

(EMERGENCY)
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 879

H.P. 651 House of Representatives, March 23, 1987.
Submitted by the Department of Transportation pursuant to
Joint Rule 24.

Reference to the Committee on Transportation suggested
and ordered printed.

EDWIN H. PERT, Clerk
Presented by Representative McPHERSON of Eliot.

Cosponsored by Representative POULIOT of Lewiston,
Senators THERIAULT of Aroostook and CAHILL of Sagadahoc.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 AN ACT to Make Technical Adjustments to the
2 Truck Overweight Law.
3

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

7 Whereas, the State is threatened with the loss of
8 a portion of its federal highway funds unless its in-
9 terstate truck weight enforcement laws are immediate-
10 ly brought into compliance with federal standards;
11 and

12 Whereas, in the judgment of the Legislature,
13 these facts create an emergency within the meaning of
14 the Constitution of Maine and require the following
15 legislation as immediately necessary for the preser-

1 vation of the public peace, health and safety; now,
2 therefore,

3 Be it enacted by the People of the State of Maine as
4 follows:

5 Sec. 1. 29 MRSA §1654, 3rd and 4th ¶¶, as re-
6 pealed and replaced by PL 1985, c. 812, Pt. B, §§2
7 and 9, are amended to read:

8 ¶f Except as provided in the 8th paragraph, if
9 the gross weight as specified in section 1652 or sec-
10 tion 1655, whichever is applicable, is exceeded by
11 less than 500 pounds multiplied by the number of ax-
12 les less one, the fine shall be waived. If the gross
13 weight is exceeded by less than 1,000 pounds multi-
14 plied by the number of axles less one, the fine shall
15 be reduced by 50%. If the gross excess is greater
16 than those enumerated in this paragraph the fine
17 schedule shall apply.

18 ¶f Except as provided in the 8th paragraph, if
19 the excess on any axle or group of axles as specified
20 in section 1652 or section 1655, whichever is appli-
21 cable, is less than 1,000 pounds, the fine shall be
22 waived. If the excess is less than 1,000 pounds plus
23 500 pounds multiplied by the number of axles in the
24 axle group, the fine shall be reduced by 2/3. If the
25 excess is less than 1,000 pounds plus 1,000 pounds
26 multiplied by the number of axles in the axle group,
27 the fine shall be reduced by 50%. If the axle excess
28 is greater than those enumerated in this paragraph
29 the fine schedule shall apply.

30 Sec. 2. 29 MRSA §1654, 8th ¶, as repealed and
31 replaced by PL 1985, c. 812, Pt. B, §§2 and 9, is re-
32 pealed and the following enacted in its place:

33 Notwithstanding any other paragraph in this sec-
34 tion, for vehicles using the interstate system as de-
35 finied in the Federal Highway Act of 1956, there shall
36 be a minimum fine of \$20 and cost of court.

37 Emergency clause. In view of the emergency cited
38 in the preamble, this Act shall take effect when ap-
39 proved.

1 STATEMENT OF FACT

2 The purpose of this bill is to make technical
3 corrections to Maine's truck weight fine law to make
4 Maine law conform to federal requirements. Federal
5 law requires that there be no tolerance on the inter-
6 state system for weight violations either statutory
7 or implied. This bill makes clear that Maine has no
8 tolerance on the interstate system by establishing a
9 minimum fine of \$20 for violations of less than 1,000
10 pounds.

11 Failure to enact this bill could result in the
12 loss of several million dollars in federal highway
13 construction funds.

14

2098021787