

MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document,

NO. 2400

H.P. 1751 House of Representatives, March 1, 1988
Reported by Representative CARTER for the Legislative
Task Force on Railroads pursuant to Public Law 1987, Chapter 5.
Reference to the Committee on Transportation suggested
and printing ordered under Joint Rule 18.

EDWIN H. PERT, Clerk

STATE OF MAINE

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

1 **AN ACT to Provide the Capability to Assess the**
2 **Impact of Overweight Trucks on Maine**
3 **Highways.**
4

5 Be it enacted by the People of the State of Maine as
6 follows:

7 **29 MRSA §1807 is enacted to read:**

8 §1807. Collection and analysis of data

1 1. Information collected; annual reports.
2 Annually, the Department of Transportation, with the
3 assistance of the Department of Public Safety, the
4 Secretary of State and the Judicial Department, shall
5 collect and analyze available data on the number of
6 overweight trucks, the amount by which they exceed
7 their permissible weight, the penalties assessed for
8 any such violations and the amount paid in fines for
9 those violations and make recommendations to the
10 Legislature as to actions which may be taken to reduce
11 the number of violations.

12 2. Records. A person who weighs goods before or
13 after unloading and who makes a record of the weight
14 of each shipment, the date of loading or receipt, the
15 name and address of the shipper, the total number of
16 axles on the vehicle or combination of vehicles or the
17 registration number of the power unit or some other
18 means of identification by which the shipment was
19 transported shall retain the record for 30 days and
20 that record shall be open to inspection and copying by
21 a state law enforcement officer upon demand. No
22 search warrant is required to inspect or copy the
23 record. Records acquired under this subsection shall
24 be used solely for the purpose of providing the
25 information and report required by subsection 1.

26 3. Violation. A person who fails to keep,
27 maintain or open for inspection and copying, those
28 documents as required in subsection 2 is guilty of a
29 Class E crime. A person who does not accurately
30 record the information required to be contained in
31 those documents required in subsection 2 is guilty of
32 a Class E crime.

33 STATEMENT OF FACT

34 Overweight trucks create a disproportionate burden
35 on the State's highway system for which they do not
36 pay. This gives operators of overweight trucks an

1 unfair competitive advantage over truckers who operate
2 within weight limits and railroads operating within
3 the State.

4 This bill will provide information to assess the
5 extent of this problem and to provide recommendations
6 for correcting it. It also allows the State access to
7 weight records maintained in the normal course of
8 business.

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