

# MAINE STATE LEGISLATURE

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(EMERGENCY)  
SECOND REGULAR SESSION

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ONE HUNDRED AND THIRTEENTH LEGISLATURE

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Legislative Document

NO. 2630

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H.P. 1930 House of Representatives, April 13, 1988  
Reported by Representative MACOMBER from the Committee on  
Transportation pursuant to H.P. 1916 and printed under Joint  
Rule 2.

EDWIN H. PERT, Clerk

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STATE OF MAINE

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

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1 AN ACT to Amend the Motor Vehicle Laws and to  
2 Allocate Funds to the Division of Motor  
3 Vehicles.  
4

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

8 Whereas, it is necessary that the clarifications  
9 and corrections in this bill be resolved as soon as

1 possible in order to prevent hardship to the citizens  
2 of Maine; and

3 Whereas, in order to have appropriate space  
4 available for the Division of Motor Vehicles at the  
5 most reasonable cost, it is necessary to proceed  
6 expeditiously; and

7 Whereas, in the judgment of the Legislature, these  
8 facts create an emergency within the meaning of the  
9 Constitution of Maine and require the following  
10 legislation as immediately necessary for the  
11 preservation of the public peace, health and safety;  
12 now, therefore,

13 Be it enacted by the People of the State of Maine as  
14 follows:

15 Sec. 1. 25 MRSA §2103-A. as enacted by PL 1983,  
16 c. 736, §4 is amended to read:

17 §2103-A. Adoption of rules

18 The Commissioner of Public Safety shall, in  
19 accordance with the Maine Administrative Procedure  
20 Act, Title 5, chapter 375, adopt by reference the  
21 rules as found in the 49 Code of Federal Regulations,  
22 Parts 107, 171, 172, 173, 174, 177, 178, 179, 387 and  
23 397, as amended. For purposes of this section, "as  
24 amended" means those Federal Regulations effective on  
25 the effective date of this section. If any part of  
26 this chapter is found to be in violation of the United  
27 States Constitution or the Constitution of Maine, it  
28 shall have no effect on the remaining parts of this  
29 chapter.

30 Sec. 2. 29 MRSA §1, sub-§12, as amended by PL  
31 1983, c. 455, §4, is further amended to read:

32 12. Semitrailer. "Semitrailer" means any vehicle  
33 without motive power designed for carrying persons or  
34 property and for being drawn by a motor vehicle and so  
35 designed that some part of its weight and of its load  
36 rests upon or is carried by that motor vehicle; and  
37 shall include pole dollies, pole dickeys, so called,

1 and wheels commonly used as a support for the ends of  
2 logs or other long articles, but excluding tow dollies  
3 and camp trailers.

4 Sec. 3. 29 MRSA §1, sub-§14-A is enacted to  
5 read:

6 14-A. Stinger-steered autotransporter. A  
7 stinger-steered autotransporter is a combination  
8 vehicle consisting of a tractor and semitrailer  
9 designed and used specifically for the transport of  
10 assembled highway vehicles wherein the fifth wheel is  
11 located on a drop frame located behind and below the  
12 rear-most axle of the power unit.

13 Sec. 4. 29 MRSA §102, 3rd ¶, as enacted by PL  
14 1985, c. 429, §9, is repealed.

15 Sec. 5. 29 MRSA §114, 2nd ¶, as amended by PL  
16 1987, c. 149, is further amended to read:

17 The Secretary of State is authorized to design and  
18 issue registration plates for antique autos, horseless  
19 carriages and street rods. These plates shall bear  
20 the inscriptions "Antique Auto," "Horseless Carriage"  
21 or "Street Rod" and "Maine." Present owners of  
22 antique motor vehicles shall be permitted to keep  
23 their existing registration plate numbers for the new  
24 registration plates issued under this section. The  
25 Secretary of State shall allow the owner of an antique  
26 motor vehicle to use registration plates which were  
27 issued in the same year as the antique motor vehicle  
28 was manufactured, provided that the date of  
29 manufacture was 1942 or earlier and the motor vehicle  
30 is registered as an antique motor vehicle under this  
31 section. Any antique motor vehicle bearing  
32 registration plates with the year of manufacture must  
33 also carry, within it, a valid antique motor vehicle  
34 registration certificate and the antique motor vehicle  
35 registration plates matching the certificate. The  
36 registration plates from 1942 or earlier must have  
37 matching plate numbers, must be affixed to both the  
38 front and rear of the antique motor vehicle and must  
39 conspicuously bear the year of manufacture. The fee  
40 for registration of an antique auto or horseless

1 carriage shall be ~~\$10~~ \$12. The fee for  
2 registration of a street rod shall be ~~\$25~~ \$27.

3 Sec. 6. 29 MRSA §242, sub-§1, ¶A, as amended by  
4 PL 1983, c. 94, Pt. C, §1, is repealed and the  
5 following enacted in its place:

6 A. Motor vehicles used for the conveyance of  
7 passengers shall pay a fee of \$22. Motor vehicles  
8 which are used interchangeably for the conveyance  
9 of passengers or property shall pay a fee of \$22.  
10 These vehicles shall be designated as  
11 "combinations" and may be issued a special plate  
12 with the word "Combination" in lieu of  
13 "Vacationland." Commercial plates shall not be  
14 issued to or displayed on automobiles.

15 Motor vehicles used for the conveyance of  
16 passengers which are operated exclusively on  
17 islands having no roads maintained or supported by  
18 the State shall be registered for a fee of \$2, and  
19 the municipality collecting excise tax for such  
20 vehicles may collect an additional \$4 fee to  
21 defray the cost of removing abandoned vehicles.

22 For the purpose of registration only, a pickup  
23 truck may be registered as provided for  
24 automobiles, provided that at no time may the  
25 gross weight of a pickup truck so registered  
26 exceed 6,000 pounds when used as a motor truck or  
27 truck tractor. The owner of such a pickup truck  
28 desiring a gross weight of the truck in excess of  
29 6,000 pounds shall register the truck as provided  
30 in section 246.

31 The registration fee for an electrically-powered  
32 passenger vehicle with a gross vehicle weight of  
33 6,000 pounds or less shall be \$10 greater than the  
34 registration fee for a similar vehicle powered by  
35 an internal combustion engine.

36 Sec. 7. 29 MRSA §242-A, first ¶, as repealed  
37 and replaced by PL 1979, c. 127, §165, is repealed and  
38 the following enacted in its place:

1 Special equipment shall be registered in  
2 accordance with this section to be drawn or to remain  
3 on any way in this State.

	<u>Fee</u>
4	
5 <u>From 1 to 2,000 pounds .....</u>	<u>\$7</u>
6 <u>From 2,001 to 5,000 pounds .....</u>	<u>\$12</u>
7 <u>Over 5,000 pounds .....</u>	<u>\$17</u>

8 Sec. 8. 29 MRSA §244, as amended by PL 1987, c.  
9 199, §1, is repealed and the following enacted in its  
10 place:

11 §244. Trailers

12 1. Registration fees. The annual fees for the  
13 registration of trailers and camp trailers shall be in  
14 accordance with this subsection and shall accompany  
15 the application for registration.

16 A. The registration fee for trailers shall be  
17 \$8.50 for a gross weight not to exceed 2,000  
18 pounds. The maximum fee for all farm trailers,  
19 whether semitrailers or 4-wheeled type, equipped  
20 with pneumatic tires, shall be \$8.50 for each  
21 trailer when the trailers are used and to be used  
22 by farmers for the sole purpose of transporting  
23 their own farm products, crops, fertilizers and  
24 farm tools and utensils, subject to the further  
25 conditions and limitations that:

26 (1) No such load so transported may at any  
27 time exceed 4 tons; and

28 (2) No such load may be transported a  
29 distance greater than 20 miles from the point  
30 of origin to the point of destination.

31 B. Trailers having a gross weight in excess of  
32 2,000 pounds shall be classified and rated as  
33 trucks. All boat trailers registered for a gross

1 weight in excess of 2,000 pounds but not more than  
2 4,000 pounds shall pay a registration fee of \$8.50.

3 C. Camp trailers having a gross weight exceeding  
4 2,000 pounds shall be assessed a registration fee  
5 of \$16.

6 D. Mobile homes shall be registered and be  
7 assessed a fee of \$8.50 for that registration.

8 A violation of any of the terms and conditions of this  
9 subsection shall automatically disqualify the violator  
10 from the benefits of this subsection.

11 2. Limitation on drawn trailers. Only one  
12 trailer or semitrailer shall be drawn by a motor  
13 vehicle, except that combinations of truck tractor,  
14 semitrailer and full trailer may be operated on the  
15 Interstate Highway System and those qualifying federal  
16 aid primary system highways designated by the  
17 Secretary of the United States Department of  
18 Transportation, pursuant to the United States Surface  
19 Transportation Assistance Act of 1982, Public Law  
20 97-424, Section 411, provided that driveaway and  
21 towaway operations, as defined by the Bureau of State  
22 Police, may include a combination of saddlemount  
23 vehicles not to exceed 3 units in contact with the  
24 surface of the highway.

25 3. Converted semitrailers. A semitrailer  
26 converted to a trailer by use of a converter dolly  
27 shall remain a semitrailer for all other purposes in  
28 this Title and such a combination shall be considered  
29 as one vehicle while so connected.

30 4. Maximum length limits. The following maximum  
31 length limits shall apply.

32 A. No vehicle may exceed a length of 45 feet  
33 overall, including all structural parts of the  
34 vehicle, permanent or temporary, and any load  
35 carried on or in the vehicle.

36 B. A combination of truck tractor and full  
37 trailer or truck tractor and semitrailer shall not

1 exceed 65 feet in length, including all structural  
2 parts of the vehicle, permanent or temporary, and  
3 any load carried on or in the vehicle. Trailers  
4 or semitrailers shall not exceed 48 feet in  
5 length, including all structural parts of the  
6 vehicle, permanent or temporary, and provided that  
7 for trailers or semitrailers in excess of 45 feet  
8 the distance as measured between the center of the  
9 rearmost truck tractor axle and the center of the  
10 rearmost trailer axle shall not exceed 38 feet in  
11 length.

12 (1) The load on any vehicle combination  
13 utilized exclusively for the transportation  
14 of tree-length logs may extend rearward  
15 beyond the body of the vehicle by 8 1/2 feet,  
16 provided that not more than 25% of the length  
17 of the logs extend beyond the body of the  
18 vehicle combination.

19 (2) A combination of truck tractor and full  
20 trailer or truck tractor semitrailer may be  
21 operated on the Interstate Highway System and  
22 those qualifying federal aid primary system  
23 highways designated by the Secretary of the  
24 United States Department of Transportation  
25 pursuant to the United States Surface  
26 Transportation Assistance Act of 1982, Public  
27 Law 97-424, Section 411, with an overall  
28 length in excess of 65 feet, provided that  
29 the trailer or semitrailer does not exceed 48  
30 feet in length.

31 (3) A combination of truck tractor,  
32 semitrailer and full trailer may be operated  
33 on the Interstate Highway System and those  
34 qualifying federal aid primary system  
35 highways designated by the Secretary of the  
36 United States Department of Transportation,  
37 pursuant to the United States Surface  
38 Transportation Assistance Act of 1982, Public  
39 Law 97-424, Section 411, with an overall  
40 length in excess of 65 feet, provided that no  
41 semitrailer or trailer operating in such  
42 vehicle combination may exceed 28.5 feet in



1           length.

2           (4) A stinger-steered autotransporter may be  
3 operated on the Interstate Highway System and  
4 those qualifying federal aid primary system  
5 highways designated by the Secretary of the  
6 United States Department of Transportation  
7 pursuant to the United States Surface  
8 Transportation Assistance Act of 1982, Public  
9 Law 97-424, Section 411, with an overall  
10 length not to exceed 75 feet.

11           Notwithstanding any other provision of the  
12 law, combination vehicles designed for the  
13 transportation of automobiles shall be  
14 permitted a front overhang of not more than 3  
15 feet and a rear overhang of not more than 4  
16 feet. These overhangs shall be in addition  
17 to the length limits authorized in this  
18 section.

19           (5) The overall length of trailers and  
20 semitrailers shall not include the space  
21 occupied by refrigeration units or other  
22 nonload-carrying appurtenances which may be  
23 permitted by federal regulation.

24           C. Fire department vehicles and disabled motor  
25 vehicles being towed to a repair facility are  
26 exempted from the length restrictions set out in  
27 this subsection.

28           D. The Commissioner of Transportation shall  
29 promulgate rules, not inconsistent with the  
30 provisions of the United States Surface  
31 Transportation Assistance Act of 1982, Public Law  
32 97-424, to ensure reasonable access to vehicles,  
33 as set forth in paragraph B, subparagraphs (2),  
34 (3) and (4), between the Interstate Highway System  
35 and any other qualifying federal aid primary  
36 system highways, as designated by the Secretary of  
37 the United States Department of Transportation,  
38 and terminals, facilities for food, fuel, repairs  
39 and rest and points of loading and unloading for

1 household goods carriers.

2 5. Special mobile equipment. Registration for  
3 special mobile equipment is as follows.

4 A. Class B special mobile equipment, which is  
5 permanently mounted on a traction unit or motor  
6 chassis, shall be registered and a fee of \$17  
7 shall be paid for registration in lieu of all  
8 other registration fees. Registration under this  
9 subsection shall not include any vehicle which may  
10 be used for the conveyance of property except hand  
11 tools or parts which are used in connection with  
12 the operation of that equipment, except that road  
13 construction or maintenance machinery coming under  
14 the definition of special mobile equipment may be  
15 used for the transportation of earth on that  
16 portion of the highway actually under  
17 construction. Such special mobile equipment may  
18 be operated unloaded over the highway between  
19 construction projects and to or from the place  
20 where these vehicles are customarily kept, if a  
21 permit for such movement is first obtained in  
22 accordance with section 1703. The movement over  
23 the highways of any of such equipment, the weight  
24 of which is in excess of 10 tons, shall be subject  
25 to section 1703 and permits to move the equipment  
26 shall be obtained accordingly.

27 B. Class A special mobile equipment, which is  
28 permanently mounted on a traction unit or motor  
29 vehicle chassis, shall be operated under an annual  
30 permit. The fee for permits for any such  
31 equipment, the gross weight of which is 54,000  
32 pounds or less, shall be in accordance with the  
33 registration fee schedule established by section  
34 246 for farm motor trucks. For any such  
35 equipment, the gross weight of which is in excess  
36 of 54,000 pounds, the fee shall be in accordance  
37 with the following schedule:

38 From 54,001 pounds gross weight to 60,000 pounds  
39 gross weight.....\$382

40 From 60,001 pounds gross weight to 65,000 pounds

1 gross weight.....\$412  
2 From 65,001 pounds gross weight to 70,000 pounds  
3 gross weight.....\$442  
4 From 70,001 pounds gross weight to 75,000 pounds  
5 gross weight.....\$472  
6 From 75,001 pounds gross weight to 80,000 pounds  
7 gross weight.....\$502

8 The movement over the highways of any special mobile  
9 equipment, the weight of which is in excess of the  
10 gross or axle weight limits set forth in section 1652,  
11 shall be subject to section 1703, and permits to move  
12 the equipment shall be obtained accordingly.

13 6. Circus and carnival trailers. Circus and  
14 carnival trailers or semitrailers unloaded from  
15 railroad cars and hauled to and from the midway on  
16 circus or carnival grounds shall be exempt from fees  
17 for the registration and licensing of such trailers or  
18 semitrailers. This subsection shall apply only to  
19 circus and carnival trailers or semitrailers moved to  
20 or from railroad stations or railroad sidings nearest  
21 the grounds where the circus or carnival show is held.

22 Sec. 9. 29 MRSA §245, first ¶, as amended by PL  
23 1981, c. 492, Pt. E, §8, is further amended to read:

24 The annual fees for the registration of  
25 semitrailers shall be in accordance with this section  
26 and shall accompany the application for registration.

27 Semitrailer.....\$15 \$16 each.

28 Sec. 10. 29 MRSA §246, first ¶, as repealed and  
29 replaced by PL 1985, c. 812, Pt. A, §2, is repealed  
30 and the following enacted in its place:

31 With each application for registration of motor  
32 trucks, tractors and truck tractors shall be paid an  
33 annual registration fee graduated as follows when  
34 equipped with pneumatic tires:

1	<u>From 0 pounds gross weight to 6,000 pounds gross</u>
2	<u>weight.....\$22</u>
3	<u>From 6,001 pounds gross weight to 9,000 pounds</u>
4	<u>gross weight.....\$28</u>
5	<u>From 9,001 pounds gross weight to 12,000 pounds</u>
6	<u>gross weight.....\$45</u>
7	<u>From 12,001 pounds gross weight to 14,000 pounds</u>
8	<u>gross weight.....\$78</u>
9	<u>From 14,001 pounds gross weight to 16,000 pounds</u>
10	<u>gross weight.....\$102</u>
11	<u>From 16,001 pounds gross weight to 18,000 pounds</u>
12	<u>gross weight.....\$127</u>
13	<u>From 18,001 pounds gross weight to 20,000 pounds</u>
14	<u>gross weight.....\$158</u>
15	<u>From 20,001 pounds gross weight to 23,000 pounds</u>
16	<u>gross weight.....\$185</u>
17	<u>From 23,001 pounds gross weight to 26,000 pounds</u>
18	<u>gross weight.....\$217</u>
19	<u>From 26,001 pounds gross weight to 28,000 pounds</u>
20	<u>gross weight.....\$262</u>
21	<u>From 28,001 pounds gross weight to 32,000 pounds</u>
22	<u>gross weight.....\$303</u>
23	<u>From 32,001 pounds gross weight to 34,000 pounds</u>
24	<u>gross weight.....\$337</u>
25	<u>From 34,001 pounds gross weight to 38,000 pounds</u>
26	<u>gross weight.....\$374</u>
27	<u>From 38,001 pounds gross weight to 40,000 pounds</u>
28	<u>gross weight.....\$398</u>
29	<u>From 40,001 pounds gross weight to 42,000 pounds</u>

1	<u>gross weight.....\$421</u>
2	<u>From 42,001 pounds gross weight to 45,000 pounds</u>
3	<u>gross weight.....\$445</u>
4	<u>From 45,001 pounds gross weight to 48,000 pounds</u>
5	<u>gross weight.....\$492</u>
6	<u>From 48,001 pounds gross weight to 51,000 pounds</u>
7	<u>gross weight.....\$528</u>
8	<u>From 51,001 pounds gross weight to 54,000 pounds</u>
9	<u>gross weight.....\$563</u>
10	<u>From 54,001 pounds gross weight to 55,000 pounds</u>
11	<u>gross weight.....\$575</u>
12	<u>From 55,001 pounds gross weight to 60,000 pounds</u>
13	<u>gross weight.....\$635</u>
14	<u>From 60,001 pounds gross weight to 65,000 pounds</u>
15	<u>gross weight.....\$694</u>
16	<u>From 65,001 pounds gross weight to 69,000 pounds</u>
17	<u>gross weight.....\$757</u>
18	<u>From 69,001 pounds gross weight to 72,000 pounds</u>
19	<u>gross weight.....\$792</u>
20	<u>From 72,001 pounds gross weight to 75,000 pounds</u>
21	<u>gross weight.....\$816</u>
22	<u>From 75,001 pounds gross weight to 78,000 pounds</u>
23	<u>gross weight.....\$852</u>
24	<u>From 78,001 pounds gross weight to 80,000 pounds</u>
25	<u>gross weight.....\$872</u>
26	<u>Sec. 11, 29 MRSA §246, 6th ¶, as amended by PL</u>
27	<u>1987, c. 499, §1, is repealed and the following</u>
28	<u>enacted in its place:</u>
29	<u>The annual fee for registration of farm motor</u>
30	<u>trucks, equipped with axles other than so-called dolly</u>

1 axles falling under section 1652, subsection 4,  
2 paragraph A, subparagraph (6), or farm motor trucks  
3 towing a trailer or semitrailer when those trucks are  
4 used primarily for transportation of agricultural  
5 commodities, supplies or equipment to be used in  
6 connection with the operation of a farm or farms  
7 owned, operated or occupied by the registrant, shall  
8 be as follows:

9	<u>From 0 pounds gross weight to 6,000 pounds gross</u>
10	<u>weight.....\$18</u>
11	<u>From 6,001 pounds gross weight to 9,000 pounds</u>
12	<u>gross weight.....\$21</u>
13	<u>From 9,001 pounds gross weight to 11,000 pounds</u>
14	<u>gross weight.....\$24</u>
15	<u>From 11,001 pounds gross weight to 14,000 pounds</u>
16	<u>gross weight.....\$36</u>
17	<u>From 14,001 pounds gross weight to 16,000 pounds</u>
18	<u>gross weight.....\$47</u>
19	<u>From 16,001 pounds gross weight to 18,000 pounds</u>
20	<u>gross weight.....\$69</u>
21	<u>From 18,001 pounds gross weight to 20,000 pounds</u>
22	<u>gross weight.....\$81</u>
23	<u>From 20,001 pounds gross weight to 23,000 pounds</u>
24	<u>gross weight.....\$98</u>
25	<u>From 23,001 pounds gross weight to 26,000 pounds</u>
26	<u>gross weight.....\$116</u>
27	<u>From 26,001 pounds gross weight to 29,000 pounds</u>
28	<u>gross weight.....\$141</u>
29	<u>From 29,001 pounds gross weight to 32,000 pounds</u>
30	<u>gross weight.....\$161</u>
31	<u>From 32,001 pounds gross weight to 35,000 pounds</u>
32	<u>gross weight.....\$237</u>

1	From 35,001 pounds gross weight to 38,000 pounds
2	<u>gross weight.....\$260</u>
3	From 38,001 pounds gross weight to 42,000 pounds
4	<u>gross weight.....\$283</u>
5	From 42,001 pounds gross weight to 46,000 pounds
6	<u>gross weight.....\$306</u>
7	From 46,001 pounds gross weight to 50,000 pounds
8	<u>gross weight.....\$329</u>
9	From 50,001 pounds gross weight to 54,000 pounds
10	<u>gross weight.....\$352</u>

11 Sec. 12. 29 MRSA §247, as amended by PL 1985,  
 12 c. 506, Pt. A, §55, is further amended to read:

13 §247. Antique motor vehicles

14 The annual fees for the registration of antique  
 15 motor vehicles shall be in accordance with this  
 16 section and shall accompany the application for  
 17 registration.

18 Antique motor vehicles .....\$10 \$12 each.

19 Sec. 13. 29 MRSA §249, as amended by PL 1985,  
 20 c. 694, §1, is further amended to read:

21 §249. Motorcycles

22 The annual fees for the registration of  
 23 motorcycles shall be in accordance with this section  
 24 and shall accompany the application for registration.

25 Motorcycles .....\$17 \$18 each.

26 Mopeds .....\$5 \$6 each.

27 Sec. 14. 29 MRSA §252-E, 2nd ¶, as enacted by  
 28 PL 1985, c. 737, Pt. A, §80, is amended to read:

1        These special designating plates shall be of a  
2        design as determined by the Secretary of State, that  
3        is unique and not duplicated by any other design.

4            Sec. 15. 29 MRSA §252-G is enacted to read:

5        §252-G. Pearl Harbor survivors; special license  
6        plates

7            The Secretary of State, on application and upon  
8        evidence of payment of the excise tax required by  
9        Title 36, section 1482, shall issue a registration  
10       certificate and set of special designating plates to  
11       be used in lieu of regular registration plates to any  
12       person who served in the United States Armed Forces  
13       and who was stationed at Pearl Harbor, Oahu, Hawaii  
14       during the attack by Japanese forces on December 7,  
15       1941, when that application is accompanied by  
16       appropriate military certification verifying the  
17       applicant's service at Pearl Harbor during the  
18       attack. This special license plate is issued  
19       specifically to Pearl Harbor survivors and the  
20       privilege of using the special plate is not  
21       transferable.

22            These special designating plates shall be of a  
23        design as determined by the Secretary of State.

24            Sec. 16. 29 MRSA §780, sub-§§1 and 2, as  
25        enacted by PL 1987, c. 341, section 3, are amended to  
26        read:

27            1. Requirement. Every operator or owner of a  
28        motor vehicle, trailer or semitrailer registered in  
29        this State shall maintain at all times the amounts of  
30        motor vehicle liability insurance or financial  
31        responsibility specified in section 787.

32            2. Evidence of insurance or financial  
33        responsibility. Every operator or owner of a motor  
34        vehicle, trailer or semitrailer registered in this  
35        State shall present evidence of motor vehicle  
36        liability insurance or financial responsibility upon  
37        the request of a law enforcement officer if the  
38        operator is stopped for a moving violation or is  
39        involved in an accident which shall be reported under



1 section 891.

2 Sec. 17. 29 MRSA §780, sub-§7-A is enacted to  
3 read:

4 7-A. Exemption. The provisions of this section  
5 shall not apply to vehicles owned or controlled by a  
6 dealer as defined by chapter 5, subchapter III-A, nor  
7 to any vehicle registered by the Secretary of State as  
8 a vehicle for hire.

9 Sec. 18. 29 MRSA §1366, 4th ¶, as repealed and  
10 replaced by PL 1987, c. 415, §26, is repealed and the  
11 following enacted in its place:

12 Every vehicle shall be equipped with at least one  
13 lamp on the rear, in the center or to the left of its  
14 axis, capable of displaying a red light visible for a  
15 distance of at least 100 feet behind the vehicle. Any  
16 vehicle manufactured with 2 such lamps on the rear,  
17 one to the right of its axis and one to the left of  
18 its axis, shall be required to be equipped with both.  
19 When a vehicle is used in conjunction with another  
20 vehicle or vehicles, only the last of the vehicles  
21 shall be required to carry the lamp or lamps.

22 Sec. 19. 29 MRSA §1111-A is enacted to read:

23 §1111-A. No abandonment on islands

24 No person may abandon a motor vehicle on any  
25 property on an island without consent of the owner of  
26 the property. The State, municipality or other  
27 political subdivision having jurisdiction over the  
28 island may order the owner of a vehicle illegally  
29 abandoned on an island to remove it at the vehicle  
30 owner's expense. If the owner of the vehicle refuses  
31 to remove it, or if the owner is unknown, the State or  
32 political subdivision may cause the vehicle to be  
33 removed from the island and may require reimbursement  
34 from the owner for the removal and the administrative  
35 and legal costs. Neither the State nor any political  
36 subdivision of the State is liable for any damage to  
37 the motor vehicle that may be caused by the removal.  
38 Failure to remove an illegally abandoned vehicle on  
39 an island within 30 days after written warning, or

1 within 30 days of "ice-out" if ice prevents the island  
2 from being reasonably accessible, is a Class E crime.

3       **Sec. 20. 29 MRSA §2183,** as repealed and  
4 replaced by PL 1983, c. 818, §19, is repealed and the  
5 following enacted in its place:

6 §2183. Improper plates

7       No person may attach or permit to be attached to a  
8 vehicle a registration plate assigned to another  
9 vehicle or a registration plate not currently assigned  
10 to that vehicle. No person may obscure or permit to  
11 be obscured numbers, letters, words, illustrations,  
12 seals or other distinguishing marks on any  
13 registration plate attached to a vehicle which was  
14 assigned to that vehicle by the Secretary of State.  
15 Vehicle registration plates shall always be properly  
16 displayed.

17       Whoever violates this section is guilty of a Class  
18 E crime.

19       **Sec. 21. 29 MRSA §2243-A,** first ¶, as amended  
20 by PL 1987, c. 79, §3 is further amended to read:

21       Notwithstanding any other provisions of this  
22 Title, the Secretary of State, in concurrence with the  
23 Commissioner of Transportation, is authorized to enter  
24 into reciprocal agreements or plans on behalf of the  
25 State of Maine with the appropriate authorities of any  
26 of the states of the United States, the District of  
27 Columbia or any state or province of any country  
28 providing for the registration of vehicles on any  
29 apportionment or allocation basis and may, in the  
30 exercise of this authority, enter into and become a  
31 member of the International Registration Plan with  
32 ~~an-entry-date-of-January-17-1990.~~

33       **Sec. 22. 29 MRSA §2507-A,** sub-§1, ¶B is enacted  
34 to read:

35       B. Fleets of 5 or more vehicles with a common  
36 registration expiration month may continue to

1 have an uncommon inspection and registration  
2 expiration. The effective date of this paragraph  
3 shall be April 1, 1989.

4 **Sec. 23.** 29 MRSA §2508-A is enacted to read:

5 §2508-A. Enforcement of an uncommon expiration of  
6 inspection and registration certificates

7 The owner or operator of a vehicle operated with a  
8 valid certificate of inspection and a valid  
9 registration certificate which have uncommon  
10 expiration dates in violation of section 2502,  
11 subsection 3, shall not be issued a summons to court  
12 but shall be issued a warning in a form to be  
13 designated by the Chief of the Maine State Police.  
14 This warning shall state that the owner or operator  
15 shall within 2 business days therefrom cause the  
16 vehicle to be inspected in accordance with this  
17 chapter. Failure to comply with the provisions of a  
18 warning issued pursuant to this section is a violation  
19 punishable in accordance with section 2521. The  
20 effective date of this section shall be April 1, 1989.

21 **Sec. 24.** Public Law 1987, c. 397, §10 is  
22 amended to read as follows:

23 **Sec. 10.** Effective date. The effective date of  
24 this Act is ~~July 17, 1988~~ April 1, 1989.

25 **Sec. 25.** Reserve for building construction.  
26 Reserve for building construction is as follows.

27 1. Building construction reserve established.  
28 There is established a Building Construction Reserve  
29 within the Highway Fund for the purposes of  
30 constructing a building to provide office space to  
31 house the Division of Motor Vehicles and the Augusta  
32 branch office.

33 2. Transfer to the reserve. Notwithstanding any  
34 other provision of law and no later than the 20th of  
35 each month, the State Controller shall transfer to the  
36 Building Construction Reserve all revenues received  
37 from \$2 per vehicle of the registration fee for each

1 vehicle registered. This subsection is repealed on  
2 June 30, 1992.

3 3. Expenditure of the reserve. Funds transferred  
4 to the reserve shall not be expended until allocated  
5 by the Legislature and may only be used to defray the  
6 costs associated with the construction of a new  
7 building for the Department of the Secretary of State,  
8 Division of Motor Vehicles. Permissible costs shall  
9 include the acquisition of the building, land, parking  
10 site, architectural engineering services, and equipment  
11 needed to operate. It is legislative intent that  
12 these funds shall be expended only to the extent that  
13 there are sufficient funds in the building  
14 construction reserve.

15 Sec. 26. Allocation. The following funds are  
16 allocated from the Highway Fund to carry out the  
17 purposes of this Act.

18 1988-89

19 SECRETARY OF STATE,  
20 DEPARTMENT OF THE

21 Administration-Motor Vehicles

22 Capital Expenditures \$1,700,000

23 Provides funds for  
24 land and architectural  
25 design to initiate the  
26 building of a  
27 consolidated motor  
28 vehicle facility.  
29 Funds allocated in  
30 this Act shall not  
31 lapse but shall carry  
32 forward until  
33 completion of the  
34 project.

35 Emergency clause. In view of the emergency  
36 cited in the preamble, this Act shall take effect when  
37 approved, except that sections 5 to 13 and 26 shall

1 take effect July 1, 1988, section 21 shall take effect  
2 January 1, 1989 and section 25 shall take effect July  
3 1, 1989.

4 FISCAL NOTE

5 Enactment of the proposed legislation would result  
6 in:

7 1. An increase in Highway Fund revenue of  
8 approximately \$1,700,000 for fiscal year 1989. This  
9 additional revenue would be derived from a proposed  
10 extension of the \$2 increase in the motor vehicle  
11 registration fees, which was initiated this year as a  
12 plate fee in connection with the lobster plate, but  
13 which would be continued as an increase in the  
14 registration fees themselves.

15 2. A Highway Fund allocation to the Department of  
16 the Secretary of State, Division of Motor Vehicles, in  
17 the amount of \$1,700,000 for fiscal year 1989. This  
18 allocation would provide funds for land and  
19 architectural design to initiate the construction of a  
20 new building for the Division of Motor Vehicles and  
21 the Augusta branch office;

22 3. A future revenue gain to the Building  
23 Construction Reserve within the Highway Fund of  
24 \$1,700,000 per year for fiscal years 1990, 1991 and  
25 1992. This \$5,100,000 in anticipated additional  
26 revenue from the proposed increase in registration  
27 fees would continue to be transferred to the proposed  
28 Building Construction Reserve for the new Division of  
29 Motor Vehicles building until June 30, 1992, which is  
30 the proposed project ending date.

31 STATEMENT OF FACT

32 This bill makes clarifications and corrections to  
33 the motor vehicle laws, makes permanent the \$2  
34 increase in the cost of registration established last  
35 year and provides funding for a new building for the  
36 Division of Motor Vehicles.

1 Section 1 makes a technical change in the  
2 rule-making authority of the Commissioner of Public  
3 Safety for hazardous material control.

4 Section 2 excludes camp trailers from the  
5 definition of semitrailer.

6 Section 3 defines "stinger-steered  
7 autotransporter."

8 Section 4 requires that the mileage of all  
9 vehicles, not just title vehicles, be recorded on the  
10 back of the registration.

11 Sections 5 to 13 make several fee changes which  
12 will provide approximately \$1,700,000 annually. These  
13 sections propose an extension of the \$2 increase in  
14 the motor vehicle registration fees (\$1 for trailers),  
15 which was initiated this year as a plate fee in  
16 connection with the lobster plate, but which would be  
17 continued as an increase in the annual registration  
18 fee. There would continue to be a separate fee of \$1  
19 per license plate, but only for the issuance of new  
20 plates when needed.

21 Section 8 incorporates an amendment to the Maine  
22 Revised Statutes, Title 29, section 244, subsection 4,  
23 paragraph B, subparagraph (4) to conform to Federal  
24 Highway Administration rules which allow  
25 stinger-steered autotransporters on the interstate  
26 system.

27 Section 14 requires that former prisoner of war  
28 plates be different in design from disabled veteran  
29 plates.

30 Section 15 creates a special Pearl Harbor survivor  
31 license plate for those who were serving in the Armed  
32 Forces of the United States on December 7, 1941, and  
33 survived the attack.

34 Section 16 applies Maine's financial  
35 responsibility law only to vehicles registered in this  
36 State.

1 Section 17 exempts vehicles owned or controlled by  
2 a dealer and certain rental vehicles from evidence of  
3 insurance or financial responsibility because there  
4 are separate statutory requirements for their  
5 insurance in Title 29, sections 831 and 832.

6 Section 18 corrects the current statute on  
7 taillights to require 2 if the vehicle was  
8 manufactured with 2, and to require that motorcycles  
9 have a taillight.

10 Section 19 prohibits abandoning of vehicles on  
11 islands and authorizes the State or the political  
12 subdivision to require the owner to remove an  
13 abandoned vehicle at the owner's expense. Continued  
14 violation, after 30 days' warning, would be a Class E  
15 crime.

16 Section 20 amplifies the restriction on improper  
17 plates to prohibit covering of any illustration and to  
18 prohibit displaying noncurrent plates.

19 Section 21 eliminates any specific entry date into  
20 the International Registration Plan for trucks, since  
21 Maine has not reached agreement with other states on  
22 the conditions for entry.

23 Sections 22, 23 and 24 address the new requirement  
24 for common expiration of inspection and registration.  
25 Section 22 exempts fleets of 5 or more vehicles with a  
26 common registration expiration. Section 23 allows for  
27 a warning to be issued for violation. The person  
28 would have 2 days to correct the infraction. Section  
29 24 delays the effective date of the common expiration  
30 requirement from July 1, 1988, to April 1, 1989.

31 Section 25 establishes a Building Construction  
32 Reserve within the Highway Fund for construction of a  
33 building to provide adequate office space to house the  
34 main office of the Division of Motor Vehicles, and the  
35 Augusta branch office, including the added space  
36 needed for consolidation of truck permitting in a  
37 single agency. Funds from the increased registration  
38 fees will be transferred to the the reserve through  
39 June 30, 1992. These funds may not be expended

1 without legislative allocation.

2 Section 26 allocates \$1,700,000 for fiscal year  
3 1988-89 from the Highway Fund for land and  
4 architectural design for the Division of Motor  
5 Vehicles building.

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