

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 368

H.P. 256

House of Representatives, February 23, 1989

Reference to the Committee on State and Local Government suggested and ordered printed.

Ed Pert

EDWIN H. PERT, Clerk

Presented by Representative TARDY of Palmyra.

Cosponsored by Representative STROUT of Corinth and Representative HUSSEY of Milo.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-NINE.

An Act to Improve Enforcement of Junkyard Laws.



1 **Be it enacted by the People of the State of Maine as follows:**

3 **Sec. 1. 30-A MRSA §3758, sub-§2, as enacted by PL 1987, c.**
5 **737, Pt. A, §2 and Pt. C, §106 is amended to read:**

7 **2. Penalties.** Whoever violates this subchapter or the
9 **rules of the Department of Transportation adopted under section**
11 **3759 shall be penalized in accordance with section 4506. The**
13 **operation of a junkyard contrary to any term or condition of the**
permit or in violation of any ordinance adopted under this
subchapter is a violation of this subchapter and is enforceable
under this section. Each day that the violation continues
constitutes a separate offense.

15 **Sec. 2. 30-A MRSA §3758, sub-§4 is enacted to read:**

17 **4. Suspension of operation. Notwithstanding subsection 3,**
19 **a state, county or local law enforcement officer may suspend for**
21 **up to 30 days the operation of any junkyard in violation of this**
23 **subchapter. Any person who operates a junkyard, the operation of**
25 **which has been suspended under this subsection, commits a**
violation of this subchapter.

27 **STATEMENT OF FACT**

29 This bill allows state, county and local law enforcement
31 officers to suspend, for up to 30 days, the operation of
33 junkyards in violation of state law. Revocation and suspension
35 of a permit to operate a junkyard would continue to be governed
by the Maine Revised Statutes, Title 30-A, section 3758,
subsection 3. The bill also clarifies that operation of a
junkyard contrary to any term of the permit is an offense
enforceable by any state, county or local law enforcement officer.