

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 711

H.P. 526

House of Representatives, March 8, 1989

Reference to the Committee on Transportation suggested and ordered printed.

Ed Pert

EDWIN H. PERT, Clerk

Presented by Representative STEVENS of Sabattus.

STATE OF MAINE

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

**An Act Relating to the Expiration of a Valid Certificate of Inspection
on a New or Used Motor Vehicle.**



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

3 Sec. 1. 29 MRSA §2507, as amended by PL 1987, c. 789, §24, is
5 further amended to read:

7 §2507. Vehicles with dealer and transporter registrations

9 No dealer or holder of a transporter registration
11 certificate in new or used motor vehicles may permit any vehicle
13 under his the dealer's or certificate holder's ownership or
15 control to be released for operation upon the highways, unless
17 the vehicle meets the inspection standards required by section
19 2503 and the rules promulgated under that section, except that
21 any vehicle, that is mechanically safe but requires body repairs,
23 may be operated by the owner or his employee for the sole purpose
25 of transporting the vehicle to an establishment for body repair
until it has been inspected and a valid certificate of inspection
has been placed on the vehicle. If the vehicle bears a prior
inspection certificate, the certificate shall be removed. Any
vehicle that is mechanically safe but requires body repairs or
inspection may be released for operation without a valid
certificate of inspection for the sole purpose of transporting
the vehicle to an establishment for body repairs or a licensed
inspection facility.

27 Sec. 2. 29 MRSA §2507-A, sub-§1, as amended by PL 1987, c.
29 789, §§22 and 24, is further amended to read:

31 1. Motor vehicles required to meet standards. Except as
33 provided in section 2507 regarding vehicles requiring body repair
35 or inspection, no dealer or holder of a transporter registration
37 certificate in new or used motor vehicles may permit any vehicle
39 under his the dealer's or certificate holder's ownership or
41 control to be sold or transferred to another person or legal
43 entity for operation upon the highways unless the vehicle meets
45 the inspection standards required by section 2503 and the rules
47 and regulations promulgated thereunder and has displayed thereon
49 a valid certificate of inspection issued on the day of sale or
51 transfer, except when the existing inspection certificate was
issued during the last 90 days prior to the date of the sale or
transfer, in which case the dealer or certificate holder shall
have the vehicle inspected and a new certificate of inspection
placed on it at the dealer's or certificate holder's expense
either on the date of the sale or transfer or, if the dealer or
certificate holder is unable to do so for whatever reason, within
5 business days from the date of the sale or transfer. In the
event the dealer or certificate holder is unable to have the
vehicle inspected on the date of the sale or transfer, the dealer
or certificate holder shall notify the person to whom the vehicle
is being sold or transferred in writing that the dealer or
certificate holder is required to have the vehicle inspected and
a new inspection certificate placed on it within 5 business days

1 from the date of the sale or transfer and that, if the person to
3 whom the vehicle is sold or transferred fails to make the vehicle
5 available for inspection within that time period, it shall be the
7 sole responsibility of the person to whom the vehicle is being
9 sold or transferred to have the vehicle inspected and a new
11 inspection certificate placed on it within the time period
13 specified in this section.

9 A. A certificate of inspection issued under this section
11 shall expire:

13 (1) At the end of the month in which the transfer
15 registration under section 152 shall expire when the
17 new owner indicates that the registration will be
19 transferred under section 152;

21 (2) At the end of the month, one year from the month
23 in which the new owner indicates the vehicle will be
25 registered under section 106, provided that no
27 certificate of inspection may be issued for a period
29 greater than 13 months; or

31 (3) At the end of the month, one year from the month
33 of issuance.

35 B. Fleets of 5 or more vehicles with a common registration
37 expiration month may continue to have an uncommon inspection
39 and registration expiration. The effective date of this
41 paragraph shall be April 1, 1989.

33 STATEMENT OF FACT

35 This legislation would correct an unforeseen problem that
37 was created by certain amendments that were included as part of
39 Public Law 1987, chapter 397, to the motor vehicle laws which
41 require that a new or used motor vehicle have a valid certificate
of inspection issued on the day of sale or transfer of that
vehicle.

43 The requirement of chapter 397, which takes effect on April
45 1, 1989, would create many situations where sales of new and used
47 motor vehicles could not legally take place since they would
occur, for example, on weekends, when, in many parts of the
State, there is a lack of availability of inspection facilities.

49 This legislation would provide that an inspection
51 certificate that has been placed on the vehicle that is being
sold by a new or used vehicle dealer will be valid for purposes
of selling that vehicle as long as it has been issued during the
90-day period prior to the date of sale or transfer.

1
3 Furthermore, this legislation also provides that, even in
5 those instances where an existing certificate of inspection on a
7 new or used vehicle was issued within 90 days prior to the date
9 of the sale or transfer of that vehicle, the dealer or
11 certificate holder will be required to have the vehicle
13 reinspected and a new certificate of inspection placed on the
15 vehicle either on the day of the sale or, if the dealer or
17 certificate holder is unable to do so, within 5 business days of
19 the date of sale or transfer. The dealer or certificate holder
21 who is selling or transferring the vehicle is required to notify
23 the person to whom the vehicle is being sold or transferred in
25 writing of the fact that the dealer is required to have the
27 vehicle reinspected and a new inspection certificate placed on it
within 5 business days from the date of sale or transfer and
that, if the person to whom the vehicle is being sold or
transferred fails to make the vehicle available for inspection,
that person will then be responsible for having the vehicle
reinspected as required by this section of the law.

21 The amendments contained in this legislation are consistent
23 with the other provisions of the new law, which was enacted by
25 Public Law 1987, chapter 397, to take effect on April 1, 1989,
27 and will ensure that new and used vehicles, once they are sold by
a dealer, have their inspection and registration, which occurs
next after the sale or transfer, occurring in the same month of
the year.