

# MAINE STATE LEGISLATURE

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# 114th MAINE LEGISLATURE

## FIRST REGULAR SESSION - 1989

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Legislative Document

No. 1638

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H.P. 1183

House of Representatives, May 11, 1989

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script, reading "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative CURRAN of Westbrook.

Cosponsored by Senator COLLINS of Aroostook, Senator ANDREWS of Cumberland and Representative KILKELLY of Wiscasset.

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STATE OF MAINE

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

---

An Act to Provide Funds for Preparation and Training of Class I and  
Class II Drivers.

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(AFTER DEADLINE)

(EMERGENCY)



1       **Emergency preamble.** Whereas, Acts of the Legislature do not  
2 become effective until 90 days after adjournment unless enacted  
3 as emergencies; and

5       Whereas, the qualifications and training of operators of  
6 commercial vehicles are a matter of public interest and concern;  
7 and

9       Whereas, a viable motor transport industry is a critical  
10 component of the economy of the State; and

11       Whereas, the motor transport industry requires a pool of  
12 trained and qualified vehicle operators to provide the service  
13 required by the people and industry of the State; and

14       Whereas, there now exists no funding to support training  
15 which will allow members of the public ready and reasonable  
16 access to the skills and knowledge necessary to enter the motor  
17 transport industry as operators of commercial vehicles; and

18       Whereas, in the judgment of the Legislature, these facts  
19 create an emergency within the meaning of the Constitution of  
20 Maine and require the following legislation as immediately  
21 necessary for the preservation of the public peace, health and  
22 safety; now, therefore,

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

24       **Sec. 1. 5 MRSA §12004-G, §8-A is enacted to read:**

|                     |                            |                 |                  |
|---------------------|----------------------------|-----------------|------------------|
| 25 <u>8-A. Edu-</u> | <u>Board of Commercial</u> | <u>Expenses</u> | <u>20-A MRSA</u> |
| 26 <u>cation</u>    | <u>Vehicle Vocational</u>  | <u>Only</u>     | <u>§8621</u>     |
|                     | <u>Education</u>           |                 |                  |

27       **Sec. 2. 20-A MRSA, c. 315-A is enacted to read:**

28                               CHAPTER 315-A

29                               COMMERCIAL VEHICLE EDUCATION

30       §8621. Board of Commercial Vehicle Vocational Education

31       1. Board established; membership. The Board of Commercial  
32 Vehicle Vocational Education is established under the supervision  
33 of the Division of Adult and Community Education. The board  
34 shall have 5 members, to include representatives of the Division  
35 of Adult and Community Education, the motor transport industry,  
36 the general public, and commercial driving schools, all of whom  
37 shall be appointed by the commissioner, and a representative of  
38 the Division of Motor Vehicles to be appointed by the Secretary  
39 of State.

1        2. Rulemaking authority. The board shall establish by rule  
2        guidelines regarding instruction and the disbursement of funds  
3        pursuant to this chapter in accordance with the Maine  
4        Administrative Procedure Act, Title 5, chapter 375. Rules shall  
5        be made under this subsection within one year after the effective  
6        date of this chapter.

7  
8        3. Funds. Funds received by the board under Title 29,  
9        section 246, section 246-B, subsection 5, and section 582,  
10       subsection 6, shall be disbursed by the board to commercial  
11       driving schools.

12  
13       4. Interim disbursement. Pending adoption of rules under  
14       subsection 2, funds under this chapter shall be made available to  
15       adult education programs that demonstrate to the Director of  
16       Adult and Community Education that the training programs for  
17       commercial drivers meet or exceed the truck driver training  
18       requirements of the Board of Commercial Driver Education and that  
19       are certified by the Board of Commercial Driver Education and  
20       commercial driving schools.

21       **Sec. 3. 29 MRSA §246 first ¶,** as repealed and replaced by PL  
22       1987, c. 789, §10 is amended to read:

23  
24       With each application for registration of motor trucks,  
25       tractors and truck tractors shall be paid an annual registration  
26       fee graduated as follows when equipped with pneumatic tires:

27  
28       From 0 pounds gross weight to 6,000 pounds gross weight  
29       .....\$22

30  
31       From 6,001 pounds gross weight to 9,000 pounds gross  
32       weight.....\$28

33  
34       From 9,001 pounds gross weight to 12,000 pounds gross  
35       weight.....\$45

36  
37       From 12,001 pounds gross weight to 14,000 pounds gross  
38       weight.....\$78

39  
40       From 14,001 pounds gross weight to 16,000 pounds gross  
41       weight.....\$102

42  
43       From 16,001 pounds gross weight to 18,000 pounds gross  
44       weight.....\$127

45  
46       From 18,001 pounds gross weight to 20,000 pounds gross  
47       weight.....\$158

48  
49       From 20,001 pounds gross weight to 23,000 pounds gross  
50       weight.....\$185

|    |                                                                     |                       |
|----|---------------------------------------------------------------------|-----------------------|
| 1  | From 23,001 pounds gross weight to 26,000 pounds gross weight.....  | \$217                 |
| 3  |                                                                     |                       |
| 5  | From 26,001 pounds gross weight to 28,000 pounds gross weight.....  | \$262 <u>\$296.50</u> |
| 7  | From 28,001 pounds gross weight to 32,000 pounds gross weight.....  | \$303 <u>\$310.50</u> |
| 9  |                                                                     |                       |
| 11 | From 32,001 pounds gross weight to 34,000 pounds gross weight.....  | \$337 <u>\$346.50</u> |
| 13 | From 34,001 pounds gross weight to 38,000 pounds gross weight.....  | \$374 <u>\$381.50</u> |
| 15 |                                                                     |                       |
| 17 | From 38,001 pounds gross weight to 40,000 pounds gross weight.....  | \$398 <u>\$406.50</u> |
| 19 | From 40,001 pounds gross weight to 42,000 pounds gross weight.....  | \$421 <u>\$428.50</u> |
| 21 |                                                                     |                       |
| 23 | From 42,001 pounds gross weight to 45,000 pounds gross weight.....  | \$445 <u>\$452.50</u> |
| 25 | From 45,001 pounds gross weight to 48,000 pounds gross weight.....  | \$492 <u>\$499.50</u> |
| 27 |                                                                     |                       |
| 29 | From 48,001 pounds gross weight to 51,000 pounds gross weight.....  | \$528 <u>\$535.50</u> |
| 31 | From 51,001 pounds gross weight to 54,000 pounds gross weight.....  | \$563 <u>\$570.50</u> |
| 33 |                                                                     |                       |
| 35 | From 54,001 pounds gross weight to 55,000 pounds gross weight.....  | \$575 <u>\$582.50</u> |
| 37 | From 55,001 pounds gross weight to 60,000 pounds gross weight.....  | \$635 <u>\$642.50</u> |
| 39 |                                                                     |                       |
| 41 | From 60,001 pounds gross weight to 65,000 pounds gross weight.....  | \$694 <u>\$701.50</u> |
| 43 | From 65,001 pounds gross weight to 69,000 pounds gross weight.....  | \$757 <u>\$762.50</u> |
| 45 |                                                                     |                       |
| 47 | From 69,001 pounds gross weight to 72,000 pounds gross weight.....  | \$792 <u>\$799.50</u> |
| 49 | From 72,001 pounds gross weigh...to 75,000 pounds gross weight..... | \$816 <u>\$823.50</u> |
| 51 |                                                                     |                       |

1 From 75,001 pounds gross weight to 78,000 pounds gross  
weight.....\$852 \$859.50

3 From 78,001 pounds gross weight to 80,000 pounds gross  
5 weight.....\$872 \$879.50

7 Sec. 4. 29 MRSA §246, 3rd ¶ is enacted to read:

9 Seven dollars and 50 cents of fees collected on commercial  
11 vehicles in excess of 26,001 pounds gross weight shall be  
13 apportioned to the Board of Commercial Vehicle Vocational  
15 Education established in Title 20-A, section 8621.

17 Sec. 5. 29 MRSA §246-B, sub-§4, as enacted by PL 1987, c. 750,  
19 §1, is amended to read:

21 4. Fee. The fee for an annual license is \$50 \$52 and the  
23 fee for a single-trip license is \$25 \$26. No portion of the  
25 annual fee for licensing may be prorated or reduced. Two dollars  
27 of the annual fee or \$1 of the single-trip fee shall be  
29 apportioned to the Board of Commercial Vehicle Vocational  
31 Education established in Title 20-A, section 8621.

33 Sec. 6. 29 MRSA §246-B, sub-§5, as enacted by PL 1987, c. 750,  
35 §1, is amended to read:

37 5. Apportionment of fees. Fees Remaining fees shall be  
39 paid to the Secretary of State and, upon receipt, credited to the  
41 Maine Hazardous Waste Fund,---Fees---collected---shall to be  
43 apportioned in the following manner:

45 A. Sixty-five percent to the Maine Hazardous Waste Fund  
47 administered by the Department of Environmental Protection;

B. Fifteen percent to the Secretary of State for the costs  
of administering the licensing program;

C. Ten percent to the Department of Public Safety for costs  
related to motor vehicle inspections and enforcement of this  
section; and

D. Ten percent to the State Emergency Response Commission  
established under the Maine Emergency Management Agency for  
hazardous materials training of local and state officials.

45 Sec. 7. 29 MRSA §582 sub-§1, as repealed and replaced by PL  
47 1981, c. 492, Pt. E, §17 is amended to read:

1           1. Class 1 license. The examination fee for a Class 1 ex-2  
license shall be \$25, which shall include the first road test.  
3 All subsequent examination fees shall be \$15.

5           Sec. 8. 29 MRSA §582, sub-§1-A is enacted to read:

7           1-A. Class 2 license. The examination fee for a Class 2  
license shall be \$27, which shall include the final road test.  
9 All subsequent examination fees shall be \$17.

11          Sec. 9. 29 MRSA §582, sub-§6 is enacted to read:

13          6. Apportionment of certain fees. Two dollars of every fee  
collected pursuant to subsection 1-A shall be apportioned to the  
15 Board of Commercial Vehicle Vocational Education established in  
Title 20-A, section 8621.

17          **Emergency clause.** In view of the emergency cited in the  
19 preamble, this Act shall take effect when approved.

21  
23                                   **STATEMENT OF FACT**

25          This bill establishes the Board of Commercial Vehicle  
27 Vocational Education to disburse funds generated by an increase  
of certain commercial vehicle registration and licensing fees to  
commercial driving schools.  
29