

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1991

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Legislative Document

No. 1555

H.P. 1066

House of Representatives, April 16, 1991

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative MITCHELL of Freeport.  
Cosponsored by Senator CLARK of Cumberland.

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STATE OF MAINE

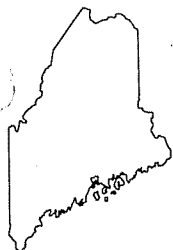
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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-ONE

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**An Act to Establish Title for Snowmobiles and All-terrain Vehicles.**

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

2  
4           Sec. 1. 12 MRSA §7824, sub-§11 is enacted to read:

6           11. Cooperation with Secretary of State. The commissioner  
8 shall work in cooperation with the Secretary of State in  
10 coordinating matters relating to snowmobile titling and  
12 snowmobile registration and shall provide to the Secretary of  
14 State all information relating to snowmobile registrations that  
16 the Secretary of State requires under Title 29, chapter 21.

18           Sec. 2. 12 MRSA §7825, sub-§6 is enacted to read:

20           6. Cooperation with Secretary of State. The commissioner  
22 shall work in cooperation with the Secretary of State in  
24 coordinating matters relating to snowmobile titling and dealer  
26 registration and licensing and shall provide to the Secretary of  
28 State all information relating to dealer registration and  
30 licensing that the Secretary of State requires under Title 29,  
32 chapter 21.

34           Sec. 3. 12 MRSA §7854, sub-§12 is enacted to read:

36           12. Cooperation with Secretary of State. The commissioner  
38 shall work in cooperation with the Secretary of State in  
40 coordinating matters relating to ATV titling and ATV registration  
42 and shall provide to the Secretary of State all information  
44 relating to ATV registrations that the Secretary of State  
46 requires under Title 29, chapter 21.

48           Sec. 4. 12 MRSA §7855, sub-§7 is enacted to read:

50           7. Cooperation with Secretary of State. The commissioner  
52 shall work in cooperation with the Secretary of State in  
54 coordinating matters relating to ATV titling and dealer  
56 registration and licensing and shall provide to the Secretary of  
58 State all information relating to dealer registrations and  
60 licensing that the Secretary of State requires under Title 29,  
62 chapter 21.

64           Sec. 5. 29 MRSA §1, sub-§7, as amended by PL 1989, c. 243, is  
66 further amended to read:

68           7. Motor vehicle. "Motor vehicle" means any self-propelled  
70 vehicle not operated exclusively on tracks, but not including  
72 snowmobiles as defined in Title 12, section 7821, and all-terrain  
74 vehicles as defined in Title 12, section 7851, unless the  
76 all-terrain vehicle is registered for highway use by the  
78 Secretary of State under this Title. Notwithstanding any other  
80 provision of law, whenever an all-terrain vehicle is operated on  
82 a way as defined in section--1, subsection 21, then that

2 all-terrain vehicle shall-be is subject to all provisions of this  
Title, except chapters 5, 7, 9, 21, 23 and 25, and chapter 22,  
4 sections 2502 through to 2525.

6 **Sec. 6. 29 MRSA §2351, sub-§1,** as repealed and replaced by PL  
1983, c. 314, §1, is amended to read:

8 1. **Dealer.** "Dealer" means every person engaged in the  
business of buying, selling, exchanging, offering to negotiate,  
10 negotiating or advertising the sale of a vehicle who has an  
established place of business for those purposes in this State  
12 and to whom a current dealer license has been issued by the  
Secretary of State or the Commissioner of Inland Fisheries and  
14 Wildlife.

16 **Sec. 7. 29 MRSA §2351, sub-§1-A,** as amended by PL 1987, c.  
485, §2, is further amended to read:

18 1-A. **Component part.** "Component part" means any of the  
following parts of a vehicle: Engine or motor; transmission;  
20 chassis, frame or equivalent part; door; hood; tailgate, deck lid  
or hatchback; and quarter panel and fender. Motorcycle component  
22 parts--shall part also include includes the front fork and  
crankcase and, in the case of a truck, they--shall component part  
24 also include includes the cargo bed, transfer case and sleeper.  
26 Snowmobile and all-terrain vehicle component parts include any  
parts on which a manufacturer has placed a vehicle  
28 identification, serial or other similarly distinctive number.

30 **Sec. 8. 29 MRSA §2351, sub-§1-C** is enacted to read:

32 1-C. All-terrain vehicle. "All-terrain vehicle" has the  
same meaning as set out in Title 12, section 7851.

34 **Sec. 9. 29 MRSA §2351, sub-§2,** as amended by PL 1987, c. 485,  
36 §4, is further amended to read:

38 2. **Identification number.** "Identification number" means the  
vehicle identification number and any other numbers and letters,  
40 if any, on a vehicle designated by a manufacturer or, the  
Secretary of State, the Commissioner of Inland Fisheries and  
42 Wildlife or other equivalent authority in another state for the  
purpose of identifying the vehicle.

44 **Sec. 10. 29 MRSA §2351, sub-§8-A** is enacted to read:

46 8-A. Snowmobile. "Snowmobile" has the same meaning as set  
48 out in Title 12, section 7821.

50 **Sec. 11. 29 MRSA §2351, sub-§10,** as amended by PL 1983, c.  
476, §2, is further amended to read:

2           10. ~~Vehicle.~~ "Vehicle" means ~~a vehicle, as defined in~~  
3 ~~section 1, or~~ all conveyances on ways for persons and for  
4 property, including special equipment, except those propelled or  
5 drawn by human power or used exclusively on tracks. Unless  
6 otherwise indicated, "vehicle" also includes all-terrain vehicles  
7 as defined in Title 12, section 7851 and snowmobiles as defined  
8 in Title 12, section 7821. "Vehicle" also includes the body or  
9 chassis of any vehicle that is to be dismantled, destroyed,  
10 scrapped or rebuilt.

12           Sec. 12. 29 MRSA §2352, sub-§1, ¶A, as amended by PL 1989, c.  
13 481, Pt. A, §29, is further amended to read:

14           A. \$10:

15                   (1) For a certificate of search of the records of the  
16 ~~Meter--Vehicle~~ Division of Motor Vehicles or the  
17 Department of Inland Fisheries and Wildlife for each  
18 name or identification number searched against; and  
19

20                   (2) For a certificate of title issued pursuant to  
21 section 2364;

22           Sec. 13. 29 MRSA §2352, sub-§1, ¶E, as amended by PL 1987, c.  
23 229, §2, is further amended to read:

24           E. Vehicle dealers licensed pursuant to this Title or  
25 pursuant to Title 12 shall may not charge, for titling  
26 purposes, fees in excess of those described in this section.

27           All other fees charged for document processing shall must be  
28 disclosed to any purchaser prior to the final sale of any  
29 vehicle and shall must be clearly posted on any vehicle to  
30 which the charge applies.

31           Failure to comply with this subsection is a Class E crime.

32           Sec. 14. 29 MRSA §2353, sub-§1, as enacted by PL 1973, c. 586,  
33 §1 is amended to read:

34           1. Duties. The Secretary of State shall prescribe and  
35 provide suitable forms of applications, certificates of title,  
36 notices of security interests and all other notices and forms  
37 necessary to carry out this chapter. The Secretary of State  
38 shall work cooperatively with the Commissioner of Inland  
39 Fisheries and Wildlife in coordinating all matters relating to  
40 titling and registration of snowmobiles and all-terrain vehicles  
41 and registration and licensing of dealers of snowmobiles and  
42 all-terrain vehicles.

