

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
115TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1477, L.D. 2089, Bill, "An Act to Amend Certain Motor Vehicle Laws"

Amend the bill by striking out all of section 1 and inserting in its place the following:

'Sec. 1. 29 MRSA §191, sub-§1, as amended by PL 1987, c. 31, is further amended to read:

1. Plate issue year. The Secretary of State shall reserve until July 1st the same registration number for the succeeding registration year for persons who notify the Secretary of State prior to May 1st in writing of their desire to retain their registration number. The fee for retention of the same registration number is \$5.

If a person wishes to retain his that person's registration number and does not have a vehicle to register on July 1st, he the person may hold his that registration number for a maximum of 2 registration years by depositing with the Secretary of State the sum of \$10 for each year; except that the registered owner of an antique vehicle may reserve the antique registration assigned to that person for 4 years by depositing the sum of \$12 for each registration year. These fees are not refundable and shall may not be applied as part payment of the registration fee.

All numbers other than those reserved shall must be released and issued in rotation after July 1st, except that a person wishing to select a number out of rotation may do so by paying his the registration fee and a reserved number fee of \$5.

Holders of initial plates shall pay the sum of \$15 which shall must be credited toward renewal of the initial plates reserved.

2 Sec. 2. 29 MRSA §191, sub-§2, as repealed and replaced by PL
4 1985, c. 725, Pt. H, §2, is amended to read:

6 2. **Nonplate issue year.** When a person fails to reregister
8 during a nonplate issue year and the registration remains expired
 for 6 consecutive months, his the person's reservation of the
 same number may cease and the number becomes available for
 reissuance or reassignment, or both.

10 For a maximum of 2 registration years, a person may reserve the
12 registration number assigned to that person by depositing with
14 the Secretary of State the sum of \$10 for each year; except that
16 the registered owner of an antique motor vehicle may reserve the
 antique registration assigned to that person for 4 years by
 depositing with the Secretary of State the sum of \$12 for each
 year.

18 Sec. 3. 29 MRSA §192, first ¶, as amended by PL 1991, c. 597,
20 §8, is further amended to read:

22 The Secretary of State is authorized to design and to issue,
24 under such regulations as the secretary determines appropriate,
 initial type registration plates or combination of initials and
26 numeric type registration plates to be used on passenger motor
 vehicles or motor vehicles of the station wagon type or taxicabs,
28 or pickup trucks or motorcycles or motor homes or trailers not to
 exceed 2,000 pounds, whether semitrailers or 4-wheeled type or
30 camp trailers, as defined in section 1, subsection 1-G, in lieu
 of other numeric type registration plates. Such plates must be
32 of such design and bear such letters or letters and numbers as
 the Secretary of State prescribes, but may not exceed 7
 characters and there may be no duplication of identification.

34 Sec. 4. 29 MRSA §241, first ¶, as amended by PL 1975, c. 589,
36 §6, is further amended to read:

38 Replacement number plates shall must be furnished to replace
40 lost or mutilated plates for-\$5-each or plates assigned to the
 registrant that have not been expired for more than 8 months.
42 The fee for each plate is \$5.

44 Sec. 5. 29 MRSA §252-H, as enacted by PL 1991, c. 7, §1, is
 amended by adding at the end a new paragraph to read:

46 After March 30, 1992, the Secretary of State may authorize
48 the sale of existing supplies of the United States flag plate
 until it is no longer available. The plate may be purchased for
50 purposes other than for display on a vehicle. The fee for the
 plate is \$2.

2 Sec. 6. 29 MRSA §256, sub-§1, ¶A, as enacted by PL 1977, c.
142, is repealed and the following enacted in its place:

4 A. An unmarked motor vehicle used primarily for law
6 enforcement purposes, when authorized by the Secretary of
 State and upon approval from the appropriate requesting
8 authority, is exempt from displaying a special registration
 plate. Records for all unmarked vehicles must be designated
 and held confidential.

10 Upon receipt of a written request by an appropriate criminal
12 justice official and showing cause that it is in the best
14 interest of public safety, the Secretary of State may
16 determine that records of a nongovernment vehicle may be
 held confidential for a specific period of time, which may
 not exceed the expiration of the current registration.

18 Sec. 7. 29 MRSA §361, as amended by PL 1985, c. 401, §15, is
20 further amended by adding after the first paragraph a new
paragraph to read:

22 A new car dealer holding special initial registration plates
24 issued pursuant to section 194 may apply for special loaner
 plates bearing the same combination of letters and numbers as
26 appear on the initial registration plates. Special loaner plates
 may not be used to supplement existing loaner registration
28 numbers assigned. The Secretary of State shall charge an
 additional \$30 fee per special loaner registration plate.

30 Sec. 8. 29 MRSA §363, as amended by PL 1989, c. 81, is
32 further amended by adding after the 3rd paragraph a new paragraph
to read:

34 A person issued temporary registration plates may not attach
36 a plate to a vehicle that the person did not sell, lease or
 transfer and may not provide the plates to another person other
38 than by attachment to a vehicle as authorized by this section. A
 person issued temporary registration plates by the Secretary of
40 State shall maintain a written record of the use or disposal of
 every plate. The record must be available for inspection by the
42 Secretary of State at the person's place of business. A person
 who fails to comply with this paragraph commits a civil
44 violation.'

46 Further amend the bill in section 2 in subsection 3 in the
48 next to the last line (page 1, line 24 in L.D.) by striking out
the following: '14' and inserting in its place the following: '10'

50 Further amend the bill by striking out all of section 3 and
inserting in its place the following:

2 'Sec. 3. 29 MRSA §540, first ¶, as amended by PL 1989, c. 514,
§§11 and 25, is further amended to read:

4 Each license shall ~~must~~ state the name, date of birth, and
6 place of residence, or mailing address if different from the
 residence, of the licensee, and permanent number assigned the
8 licensee, and may contain such other information as the Secretary
10 of State ~~deems~~ considers necessary. The license shall ~~must~~ also
12 bear a full-face color photograph of the licensee for the purpose
14 of identification except that those persons who renew their
16 licenses on or after their 65th birthday, persons in active
18 military service stationed outside the State and temporary
 licenses issued under section 533 may be exempt from the
 photograph requirement. A license which that does not contain a
 photograph of the licensee may be issued as the Secretary of
 State ~~deems~~ determines necessary, ~~except that the holder of a~~
 ~~commercial driver's license shall not be exempt from the color~~
 ~~photograph requirement.~~

20 Sec. 4. 29 MRSA §547, sub-§3, as amended by PL 1989, c. 481,
Pt. A, §21, is further amended to read:

22 3. Nonliability. Members of the board or other persons
24 making examinations who report their opinions, recommendations
26 and advice to the office of the Secretary of State in good faith
28 shall have immunity for any damages claimed as a result of so
30 doing. Any physician or other person who becomes aware of a
32 physical, mental or emotional impairment which that appears to
34 present an imminent threat to driving safety and reports this
 information to the office of the Secretary of State through its
 agents in good faith ~~shall have~~ has immunity for any damages
 claimed as a result of so doing. The immunity for damages
 applies only to the extent this immunity is not in conflict with
 federal law or regulation.

36 Sec. 5. 29 MRSA §2181, sub-§3 is enacted to read:

38 3. Aggravated misstatement of fact. A person commits
40 aggravated misstatement of fact if that person:

42 A. Uses documents of another person without the other
44 person's consent in committing a violation of subsection 1
46 or 2;

48 B. Obtains a document, decal or placard in a fictitious
50 name;

52 C. Obtains a document, decal or placard in another person's
 name and, as a result of use of the material, the other
 person receives one or more summonses or is arrested,
 indicted or convicted of an offense not committed by the
 other person;

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D. Obtains an operator's license through violation of subsection 1 or 2 when the person's operating privileges have been revoked pursuant to chapter 18-A or have been suspended pursuant to this Title or an order of a court; or

E. Uses material obtained through violation of subsection 1 or 2 in the commission of a crime or a civil violation.

Aggravated misstatement of fact is a Class D crime.'

Further amend the bill inserting after section 4 the following:

'Sec. 5. Allocation. The following funds are allocated from the Highway Fund to carry out the purposes of this Act.

	1992-93
SECRETARY OF STATE, DEPARTMENT OF THE Administration - Motor Vehicles	
All Other	\$44,000
Provides funds for retooling, data processing expenses and new materials to produce the 7-digit vanity plates.	
DEPARTMENT OF THE SECRETARY OF STATE TOTAL	<u>\$44,000</u>

Sec. 6. Effective date. The section of this Act that amends the Maine Revised Statutes, Title 29, section 192, takes effect January 1, 1993.'

Further amend the bill by renumbering the sections to read consecutively.

Further amend the bill by inserting at the end before the statement of fact the following:

FISCAL NOTE

	1992-93
APPROPRIATIONS/ALLOCATIONS	
Highway Fund	\$44,000

2 REVENUES

4 Highway Fund \$125,000

6 Implementing a 7-digit vanity plate program will increase
Highway Fund revenue by \$90,000 annually beginning in fiscal year
8 1992-93. The Division of Motor Vehicles within the Department
of the Secretary of State will require a Highway Fund allocation
10 of \$44,000 in fiscal year 1992-93 for retooling, data processing
expenses and new materials to produce the required plates.

12 The new fee for replacement plates will increase revenue to
14 the Highway Fund by \$35,000 annually beginning in fiscal year
1992-93.'

16
18 STATEMENT OF FACT

20 This amendment makes changes in the provisions of the bill
to reduce from 14 days to 10 working days the time in which the
22 Secretary of State must examine an applicant for a "Class A" or
"Class B" license that is needed for employment purposes. The
24 amendment also makes state law consistent with federal law by
eliminating the requirement that a commercial driver's license
26 include a color photograph. The amendment adds several new
sections to the bill to:

28
30 1. Allow a person to reserve a regular vehicle registration
number for 2 years and an antique car registration number for 4
years;

32
34 2. Authorize the Secretary of State to issue vanity plates
with up to 7 characters;

36
38 3. Clarify that all replacement plates are assessed a \$5
fee;

40 4. Authorize the Secretary of State to continue to sell the
United States flag plate until the existing stock is exhausted;

42 5. Authorize the Secretary of State to exempt certain
unmarked law enforcement vehicles from the requirement to display
44 special state registration plates and to determine whether the
records of certain nongovernment vehicles may be confidential for
46 a limited period of time;

48 6. Authorize the Secretary of State to issue special or
vanity loaner plates to dealers holding special initial
50 registration plates;

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2 7. Limit the use of temporary plates by dealers and require
4 them to maintain a written record of the use of temporary plates
6 issued to them;

8 8. Clarify the immunity from damages provisions for persons
10 providing information on the impairment of other drivers to the
12 Secretary of State; and

9. Establish the crime of aggravated misstatement of fact.

The amendment also adds an allocations section and a fiscal
note to the bill.

Reported by the Committee on Transportation
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House
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