

MAINE STATE LEGISLATURE

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R. of S.

L.D. 619

(Filing No. H-183)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
116TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 482, L.D. 619, Bill, "An Act to Amend the Motor Vehicle Laws"

Amend the bill in section 1 in paragraph B in subparagraph (3) in the 2nd line (page 1, line 31 in L.D.) by striking out the following: "or" and inserting in its place the following: 'e~~r~~ and'

Further amend the bill by striking out all of section 2.

Further amend the bill by striking out all of section 4.

Further amend the bill in section 5 in subsection 5 in the 4th line (page 2, line 49 in L.D.) by striking out the following: "defendant operates or attempts" and inserting in its place the following: 'person operated or attempted'

Further amend the bill by striking out all of section 7 and inserting in its place the following:

'Sec. 7. 29 MRSA §1369-A, sub-§3, as amended by PL 1991, c. 389, §4, is further amended to read:

3. Light transmittance certificate. The owner or operator of any motor vehicle with tinted replacement windows that are not replaced in accordance with Federal Motor Vehicle Safety Standard 205 or windows covered by or treated with tinting material shall acquire a light transmittance certificate and shall show the certificate to the inspection mechanic at the time of inspection to prove compliance with section 2503, subsection 2, and this section. ~~The certificate must be on a form approved by the Bureau of State Police.~~ Any person who, for compensation,

COMMITTEE AMENDMENT

2 installs tinted replacement windows or window tinting materials
3 may issue a certificate for any motor vehicle that complies with
4 the light transmittance standards of subsections 1 and 2, and
5 shall ensure compliance and issue a certificate for any vehicle
6 on which that person has installed the tinted window or tinting
7 material. Upon request, the Bureau of State Police shall provide
8 light transmittance certificates to persons who, for
9 compensation, install tinted replacement windows or window
10 tinting materials.

11 A. Light transmittance certificates provided by the Bureau
12 of State Police to installers in accordance with this
13 section remain the property of the State.

14 B. An installer who is adjudicated of a violation of this
15 section or files an answer of "Not contested" to a summons
16 for a violation of this section shall return all unissued
17 light transmittance certificates to the Bureau of State
18 Police within 10 days of adjudication or of filing the
19 answer. The Bureau of State Police may not provide that
20 installer with light transmittance certificates for a period
21 of 6 months after the date of adjudication or filing an
22 answer of "Not contested."

23 Further amend the bill by striking out all of section 9 and
24 inserting in its place the following:

25 'Sec. 9. 29 MRSA §1369-A, sub-§5, ¶G is enacted to read:

26 G. Fail to return all unissued light transmittance
27 certificates to the Bureau of State Police in accordance
28 with subsection 3, paragraph B.'

29 Further amend the bill by striking out all of section 10.

30 Further amend the bill by striking out all of section 12 and
31 inserting in its place the following:

32 'Sec. 12. 29 MRSA §2523, as repealed and replaced by PL 1991,
33 c. 388, §14, is amended by adding after the first paragraph a new
34 paragraph to read:

35 As a prerequisite to reinstatement following a license
36 suspension or revocation, the Chief of the State Police may
37 require an inspection mechanic to satisfactorily complete the
38 inspection mechanic examination provided for in section 2511,
39 subsection 3.

40 Sec. 13. Appropriation. The following funds are appropriated
41 from the General Fund to carry out the purposes of this Act.

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1993-94

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JUDICIAL DEPARTMENT

**Courts - Supreme, Superior, District
and Administrative**

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All Other \$2,000
Provides funding for computer programming to implement a 2-tier surcharge system.

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Sec. 14. Allocation. The following funds are allocated from the Highway Fund to carry out the purposes of this Act.

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PUBLIC SAFETY, DEPARTMENT OF

Highway Safety

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All Other \$26,250 \$35,000
Provides funding for chemical tests and analysis.

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Sec. 15. Effective date. That section of this Act that enacts the Maine Revised Statutes, Title 29, section 1369-A, subsection 5, paragraph G takes effect January 1, 1994.

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

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

FISCAL NOTE

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APPROPRIATIONS/ALLOCATIONS

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46

General Fund \$2,000
Highway Fund 26,250 \$35,000

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REVENUES

Highway Fund \$26,250 \$35,000

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The increase of the surcharge on operating under the influence by \$95 will increase the collection of fines of the

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2 Judicial Department. The estimated increases of Highway Fund
revenue are \$26,250 and \$35,000 in fiscal year 1993-94 and
4 1994-95, respectively. These additional Highway Fund revenues
will provide funding for chemical tests and analysis paid by the
Department of Public Safety. Additional Highway Fund allocations
6 of \$26,250 and \$35,000 in fiscal years 1993-94 and 1994-95,
respectively, are included.

8
10 The Judicial Department will require an additional General
Fund appropriation of \$2,000 in fiscal year 1993-94 for
programming costs due to the increase of the surcharge.

12
14 The additional workload and administrative costs associated
with the minimal number of new cases filed in the court system
can be absorbed within the budgeted resources of the Judicial
16 Department. The collection of additional fines may increase
General Fund revenues by a minor amount.

20 STATEMENT OF FACT

22
24 This amendment corrects a technical problem in the law to
distinguish a Class C from a Class B motor vehicle operator's
license. It strikes the section that expanded the definition of
26 drugs. It also strikes 2 sections with provisions that have been
addressed in other bills this legislative session. Those
28 provisions relate to the dimming of lights and reflective strips
on school buses.

30
32 This amendment also changes the tense used to clarify that
the higher surcharge imposed for drug testing applies only to
those convicted of or adjudicated to have committed the offense
34 of operating or attempting to operate under the influence of
drugs or a combination of liquor and drugs.

36
38 This amendment also clarifies that it is the Chief of State
Police who may require an inspection mechanic to retake the
inspection mechanic examination prior to reinstatement of a
40 suspended or revoked license. It also amends language to clarify
that the Department of Public Safety, Bureau of State Police
42 provides installers with light transmittance certificates and the
installers issue the certificates.

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Reported by the Committee on Transportation
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