

MAINE STATE LEGISLATURE

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OK
H. OF S.

L.D. 1351

(Filing No. H-537)

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

COMMITTEE AMENDMENT "A" to H.P. 1005, L.D. 1351, Bill, "An Act to Amend the Motor Vehicle Emission Inspection Program"

Amend the bill in section 1 in that part designated "§102-C." in subsection 3 by striking out all of the last 2 sentences (page 1, lines 28 to 30 in L.D.) and inserting in their place the following: 'A violation of this subsection is a traffic infraction for which a forfeiture must be assessed. If the model year of the motor vehicle is 1981 or later, the forfeiture must be \$450. If the model year of the motor vehicle is earlier than 1981, the forfeiture must be \$125.'

Further amend the bill in section 4 in subsection 1 by striking out all of the last 4 lines (page 1, lines 46 to 49 in L.D.) and inserting in their place the following: 'provided in this chapter and have-a-valid-certificate-of-compliance-or-waiver before-a-motor-vehicle-safety-inspection,-required-under must meet the requirements of Title 29, section 2502,-may-be conducted.'

Further amend the bill by inserting after section 6 the following:

'Sec. 7. 38 MRSA §2402, sub-§4, ¶¶G and H, as enacted by PL 1991, c. 818, §2, are amended to read:

G. A motor vehicle that obtains its power solely by a means other than gasoline, such as diesel fuel, electricity and propane; and

H. Motorcycles and mopeds as defined in Title 29, section 1 and autocycles as defined in the motor vehicle inspection manual adopted by the Department of Transportation; and

COMMITTEE AMENDMENT

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Sec. 8. 38 MRSA §2402, sub-§4, ¶I is enacted to read:

I. A motor vehicle that is driven fewer than 5,000 miles in a 24-month period, if the owner of the vehicle complies with rules establishing a method of administering and verifying this exemption. The board shall adopt such rules and shall consult with the Secretary of State before adopting the rules if the method to be established involves the office of the Secretary of State.'

Further amend the bill by inserting after section 9 the following:

'Sec. 10. 38 MRSA §2408, sub-§2, ¶B, as enacted by PL 1991, c. 818, §2, is repealed.

Further amend the bill by inserting after section 10 the following:

'Sec. 11. Allocation. The following funds are allocated from the Highway Fund to carry out the purposes of this Act.

	1993-94	1994-95
SECRETARY OF STATE, DEPARTMENT OF THE		
Administration - Motor Vehicles		
Positions	(3.0)	(3.0)
Personal Services	\$26,352	\$104,665
All Other	7,387	46,113
Capital Expenditures	26,000	
Provides funds for a Clerk IV position, a Clerk Typist III position, a Clerk Typist II position, a project Clerk Typist II position and general operating expenses to administer the suspension and restoration program.		
DEPARTMENT OF THE SECRETARY OF STATE		
TOTAL	\$59,739	\$150,778'

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

R. of S.

COMMITTEE AMENDMENT "A" to H.P. 1005, L.D. 1351

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

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6 **FISCAL NOTE**

8 **1993-94 1994-95**

10 **APPROPRIATIONS/ALLOCATIONS**

12 Highway Fund \$59,739 \$150,778

14 The Bureau of Motor Vehicles within the Department of the
Secretary of State will require additional Highway Fund
16 allocations of \$59,739 and \$150,778 in fiscal years 1993-94 and
1994-95, respectively, for a Clerk IV position, a Clerk Typist
18 III position, a Clerk Typist II position and a project Clerk
Typist I position to administer the suspension and restoration
20 program due to the denial of vehicle registration pursuant to the
federal Clean Air Act Amendments of 1990.

22 The Bureau of Motor Vehicles will receive additional federal
funds to offset a portion of these Highway Fund costs. The
24 amounts can not be determined at this time.

26 The Department of Environmental Protection may incur some
minor additional costs to adopt certain rules relating to the
28 motor vehicle emission standards program. These costs can be
absorbed within the department's existing budgeted resources.

30 Exempting certain motor vehicles from testing requirements
32 and eliminating the licensing of fleet emission inspection
stations will result in insignificant reductions of dedicated
34 revenues to the Department of Environmental Protection.

36 This bill also establishes a new civil violation. The
additional workload and administrative costs associated with the
38 minimal number of new cases filed in the court system can be
absorbed within the budgeted resources of the Judicial
40 Department. The collection of additional fines may increase
General Fund revenues by minor amounts.'

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44 **STATEMENT OF FACT**

46 This amendment is the majority report of the Joint Standing
48 Committee on Energy and Natural Resources. The amendment changes
the penalty for driving a motor vehicle after the Secretary of
50 State suspends the registration for failure to comply with the

COMMITTEE AMENDMENT

R. O'S.

COMMITTEE AMENDMENT "A" to H.P. 1005, L.D. 1351

2 emissions testing law or to produce a waiver for the test. The
amendment lowers the penalty amount for pre-1981 model years to
4 correspond to the maximum repair amount for those cars under the
federal Clean Air Act. The amendment also removes language
prohibiting the court from suspending the penalty.

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8 The amendment exempts motor vehicles that are driven fewer
than 5,000 miles in a 2-year period from the testing requirement
and makes technical changes to the bill. The amendment also adds
10 an allocation section and a fiscal note.

Reported by the Majority of the Committee on Energy and Natural
Resources
Reproduced and distributed under the direction of the Clerk of the
House
6/2/93

(Filing No. H-537)