

# MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1993

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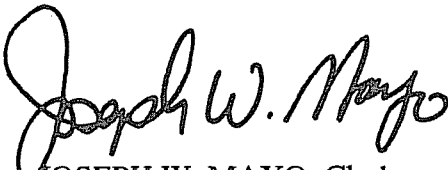
House of Representatives, May 3, 1993

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**An Act to Amend Certain Motor Vehicle Laws.**

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Reference to the Committee on Transportation suggested and ordered printed.

  
JOSEPH W. MAYO, Clerk

Presented by Representative STROUT of Corinth.  
Cosponsored by Representatives: BAILEY of Township 27, BAILEY of Farmington,  
DiPIETRO of South Portland, DRISCOLL of Calais, HUSSEY of Milo, KNEELAND of Easton,  
MARTIN of Van Buren, MARTIN of Eagle Lake, O'GARA of Westbrook, PLOURDE of  
Biddeford, RICKER of Lewiston, TARDY of Palmyra, Senators: BRANNIGAN of Cumberland,  
GOULD of Waldo, PARADIS of Aroostook.

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

PART A

Sec. A-1. 29 MRSA §102-A, sub-§2, as amended by PL 1991, c. 793, §3 and c. 837, Pt. A, §62, is repealed and the following enacted in its place:

2. Method of establishing evidence of insurance. A person establishes insurance by showing the vehicle insurance identification card as defined by section 781, subsection 1, paragraph A-2, a letter from an insurance company or agent showing that the vehicle is covered by a liability insurance policy, an insurance binder or an insurance policy that has a summary document that describes the vehicle insured, the name of the insured, the amount of insurance, the type of insurance coverage and the period the vehicle is covered to either the municipal agent or the Bureau of Motor Vehicles.

Sec. A-2. 29 MRSA §102-A, sub-§3, as enacted by PL 1991, c. 216, §1 and affected by §3, is amended to read:

3. Alternative methods of establishing evidence of insurance. An individual is considered to comply with subsection 2 if the individual shows evidence of compliance with the provisions of section 787, subsection 2, paragraph A, B or C or by signing an affidavit attesting that the vehicle is covered by a liability insurance policy.

Sec. A-3. 29 MRSA §152, first ¶, as amended by PL 1981, c. 437, §2, is further amended to read:

Whereas A person who transfers the ownership or discontinues the use of a registered motor vehicle, trailer or semitrailer and applies to the Secretary of State for registration of another motor vehicle, trailer or semitrailer in the same registration year ~~shall--be~~ is entitled to a certificate of registration permitting the use of number plates of the proper class of registration ~~thereon on the motor vehicle, trailer or semitrailer~~ upon payment of a transfer fee of \$8, ~~provided as long as~~ the fee is the same as that of the former vehicle. If the fee for the vehicle to be registered is greater, ~~he~~ the person shall pay in addition to the transfer fee of \$8 the difference between the fee paid by ~~him~~ that person for the vehicle first registered and the fee for the vehicle to which the transfer is to be made. If application is made for a truck camper or trailer with a gross weight of 2,000 pounds or less, the transfer fee ~~shall-be~~ is \$5. The certificate issued for the registration of the former vehicle shall must be returned to the said Secretary of State, showing that the ownership of ~~sueh~~ the vehicle has been transferred or its use discontinued and that the registration has been canceled.

2           **Sec. A-4. 29 MRSA §191, sub-§2**, as amended by PL 1991, c. 758,  
§2, is further amended to read:

4  
6           **2. Nonplate issue year.** When a person fails to reregister  
during a nonplate issue year and the registration remains expired  
for ~~6~~ 8 consecutive months, the person's reservation of the  
8 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  
the Secretary of State the sum of \$10 for each year, except that  
14 the registered owner of an antique motor vehicle may reserve the  
antique registration assigned to that person for 4 years by  
16 depositing with the Secretary of State the sum of \$12 for each  
year.

18 A person wishing to select a number out of rotation may do so by  
20 paying the registration fee and a reserved number fee of \$5.

22           **Sec. A-5. 29 MRSA §241, last ¶**, as amended by PL 1975, c. 589,  
§6, is further amended to read:

24           Replacement registration validation devices for number  
26 plates ~~shall be~~ or truck campers are furnished to replace lost or  
mutilated validation devices for 50¢ each.

28           **Sec. A-6. 29 MRSA §244, sub-§5, ¶B**, as amended by PL 1989, c.  
30 866, Pt. B, §5 and affected by §26, is further amended to read:

32           B. Class A special mobile equipment, which is permanently  
mounted on a traction unit or motor vehicle chassis, must be  
34 operated under an annual registration. The fee for  
registration for Class A special mobile equipment with a  
36 gross weight of 54,000 pounds or less is in accordance with  
the registration fee schedule established by section 246 for  
38 farm motor trucks. For Class A special mobile equipment  
with a gross weight in excess of 54,000 pounds, the fee is  
40 in accordance with the following schedule:

42           From 54,001 pounds gross weight to 60,000 pounds gross  
weight.....\$382 \$384

44           From 60,001 pounds gross weight to 65,000 pounds gross  
46 weight.....\$412 \$414

48           From 65,001 pounds gross weight to 70,000 pounds gross  
50 weight.....\$442 \$444

2 From 70,001 pounds gross weight to 75,000 pounds gross  
weight.....\$472 \$474

4 From 75,001 pounds gross weight to 80,000 pounds gross  
weight.....\$502 \$504

6

8 From 80,001 pounds gross weight to 90,000 pounds gross  
weight.....\$562

10 **Sec. A-7. 29 MRSA §246**, as amended by PL 1991, c. 837, Pt. A,  
§§65 and 66, is further amended to read:

12 **§246. -- trucks**

14

16 With each application for registration of motor trucks,  
tractors and truck tractors shall there must be paid an annual  
18 registration fee graduated as follows when equipped with  
pneumatic tires:

20 From 0 pounds gross weight to 6,000 pounds gross weight  
.....\$22

22

24 From 6,001 pounds gross weight to 9,000 pounds gross  
weight.....\$28

26

28 From 9,001 pounds gross weight to 12,000 pounds gross  
weight.....\$45

30

32 From 12,001 pounds gross weight to 14,000 pounds gross  
weight.....\$78

34

36 From 14,001 pounds gross weight to 16,000 pounds gross  
weight.....\$102

38

40 From 16,001 pounds gross weight to 18,000 pounds gross  
weight.....\$127

42

44 From 18,001 pounds gross weight to 20,000 pounds gross  
weight.....\$158

46

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

50

From 23,001 pounds gross weight to 26,000 pounds gross  
weight.....\$217

From 26,001 pounds gross weight to 28,000 pounds gross  
weight.....\$262 \$264

From 28,001 pounds gross weight to 32,000 pounds gross  
weight.....\$303 \$305

2	From 32,001 pounds gross weight to 34,000 pounds gross weight.....	\$337	\$339
4			
6	From 34,001 pounds gross weight to 38,000 pounds gross weight.....	\$374	\$376
8			
10	From 38,001 pounds gross weight to 40,000 pounds gross weight.....	\$398	\$400
12			
14	From 40,001 pounds gross weight to 42,000 pounds gross weight.....	\$421	\$423
16			
18	From 42,001 pounds gross weight to 45,000 pounds gross weight.....	\$445	\$447
20			
22	From 45,001 pounds gross weight to 48,000 pounds gross weight.....	\$492	\$494
24			
26	From 48,001 pounds gross weight to 51,000 pounds gross weight.....	\$528	\$530
28			
30	From 51,001 pounds gross weight to 54,000 pounds gross weight.....	\$563	\$565
32			
34	From 54,001 pounds gross weight to 55,000 pounds gross weight.....	\$575	\$577
36			
38	From 55,001 pounds gross weight to 60,000 pounds gross weight.....	\$635	\$637
40			
42	From 60,001 pounds gross weight to 65,000 pounds gross weight.....	\$694	\$696
44			
46	From 65,001 pounds gross weight to 69,000 pounds gross weight.....	\$757	\$759
48			
50	From 69,001 pounds gross weight to 72,000 pounds gross weight.....	\$792	\$794
	From 72,001 pounds gross weight to 75,000 pounds gross weight.....	\$816	\$818
	From 75,001 pounds gross weight to 78,000 pounds gross weight.....	\$852	\$854
	From 78,001 pounds gross weight to 80,000 pounds gross weight.....	\$872	\$874
	From 80,001 pounds gross weight to 90,000 pounds gross weight.....	\$977	\$979

2 For such owners of commercial vehicles, which are registered  
3 for a gross weight of 23,001 pounds or more, that attest their  
4 vehicle is and shall only be operated in the power unit  
5 semitrailer configuration a credit of \$40 shall be allowed for  
6 the original annual registration and shall be issued a commercial  
7 tractor registration plate to be displayed on the front of the  
8 vehicle.

10 When any such gross weight a permit is issued in accordance  
11 with section 1703, the gross weight allowed by the permit shall  
12 be is deemed to be the registered weight of the vehicle for the  
13 time and the conditions allowed by the permit.

14 Upon request, the Secretary of State may issue a special  
15 commercial weight registration certificate to be used in  
16 conjunction with any such gross weight permit.

17 That certificate shall be issued to Maine registered  
18 vehicles only and shall contain the make, year, vehicle  
19 identification number and the Maine registration number of the  
20 vehicle and shall provide that the gross weight of the vehicle  
21 shall be deemed to be the registered weight of the vehicle as  
22 allowed by any overweight permit issued to that vehicle for the  
23 time and the conditions allowed by the overweight permit. The  
24 annual fee for the certificate shall be \$5.

25 For trucks registered for more than 23,000 pounds gross  
26 weight that are used exclusively in a truck tractor-semitrailer  
27 configuration, the annual registration fee is reduced by \$40.  
28 The registrant must attest to the vehicle's configuration at the  
29 time of registration. The registrant is issued a single  
30 commercial tractor registration plate that must be displayed on  
31 the front of the vehicle.

32 The annual fee for registration of farm motor trucks,  
33 equipped with axles other than so-called dolly axles falling  
34 under section 1652, subsection 4, paragraph A, subparagraph (6),  
35 or farm motor trucks towing a trailer or semitrailer when those  
36 trucks are used primarily for transportation of agricultural  
37 commodities, supplies or equipment to be used in connection with  
38 the operation of a farm or farms owned, operated or occupied by  
39 the registrant, shall be is as follows:

40

41	From 0 pounds gross weight to 6,000 pounds gross	
42	weight.....	\$18
43		
44	From 6,001 pounds gross weight to 9,000 pounds gross	
45	weight.....	\$21

46

2	From 9,001 pounds gross weight to 11,000 pounds gross weight.....	\$24
4	From 11,001 pounds gross weight to 14,000 pounds gross weight.....	\$36
6		
8	From 14,001 pounds gross weight to 16,000 pounds gross weight.....	\$47
10	From 16,001 pounds gross weight to 18,000 pounds gross weight.....	\$69
12		
14	From 18,001 pounds gross weight to 20,000 pounds gross weight.....	\$81
16	From 20,001 pounds gross weight to 23,000 pounds gross weight.....	\$98
18		
20	From 23,001 pounds gross weight to 26,000 pounds gross weight.....	\$116
22	From 26,001 pounds gross weight to 29,000 pounds gross weight.....	<del>\$141</del> <u>\$143</u>
24		
26	From 29,001 pounds gross weight to 32,000 pounds gross weight.....	<del>\$161</del> <u>\$163</u>
28	From 32,001 pounds gross weight to 35,000 pounds gross weight.....	<del>\$237</del> <u>\$239</u>
30		
32	From 35,001 pounds gross weight to 38,000 pounds gross weight.....	<del>\$260</del> <u>\$262</u>
34	From 38,001 pounds gross weight to 42,000 pounds gross weight.....	<del>\$283</del> <u>\$285</u>
36		
38	From 42,001 pounds gross weight to 46,000 pounds gross weight.....	<del>\$306</del> <u>\$308</u>
40	From 46,001 pounds gross weight to 50,000 pounds gross weight.....	<del>\$329</del> <u>\$331</u>
42		
44	From 50,001 pounds gross weight to 54,000 pounds gross weight.....	<del>\$352</del> <u>\$354</u>

46           The maximum registered weight of a farm motor truck shall  
48 may not exceed 54,000 pounds. The fine for a violation of the  
50 registered gross weight of a farm motor truck shall ~~be~~ is the  
difference between the fee for a farm motor truck and a  
commercially registered motor truck, tractor or truck tractor



2 within the category of the actual weight at the time of the violation.

4 Farm motor trucks registered under this section may receive  
6 a ~~short-term-permit~~ temporary registered gross weight increase in  
8 accordance with this section by paying a percentage of the  
10 difference between the amount paid for farm motor truck  
registration and the annual fee for the desired ~~tonnage weight~~ in  
accordance with the permit temporary registered gross weight  
increase table contained in this section.

12 The Secretary of State shall issue registration plates so  
14 designed that a farm motor truck registered under this section  
16 may be distinguished from commercial vehicles otherwise  
18 registered under this section. Farm motor trucks shall ~~may~~ be  
20 driven with that registration only if the vehicle is used  
22 primarily for the transportation of agricultural products  
24 produced on and meant to be used in connection with the operating  
26 of a farm or farms owned, operated or occupied by the registrant  
28 and shall ~~may~~ not be used for the transportation of firewood,  
unless that transportation is incidental to other farm  
operations. Trucks used for the retail delivery of milk or used  
on a substantially daily delivery schedule on established routes  
are not included as "farm trucks." Any ~~A~~ person fraudulently  
obtaining a farm truck ~~license registration~~ or using a truck with  
a ~~license registration~~ plate marked for any purposes other than  
those authorized by this section shall be ~~fined~~ pay a fine of not  
less than \$100 nor more than \$500.

30 ~~Every-such~~ The owner of a vehicle equipped with 2 or more  
32 solid tires shall pay an additional fee of 33 1/3% more than any  
34 an owner of such a vehicle would be required to pay if that  
36 vehicle were equipped with pneumatic tires. But--no ~~A~~ vehicle  
shall ~~may not~~ be operated on ways or bridges, either loaded or  
without load, that exceeds the limits prescribed in section 1652  
or is contrary to any other section of this Title, or any other  
statute pertaining thereto.

38 ~~When-a-truck-is-already-registered,-the-owner-may-receive-a~~  
40 ~~short-term-permit-allowing-the-owner-to-haul-loads-of-larger~~  
42 ~~tonnage,-if-the-loads-are-not-in-excess-of-the-requirements-of~~  
44 ~~section-1652,-for-a-limited-period-of-8-months-or-less,-These~~  
46 ~~short-term-permits-may-be-obtained,-upon-payment-of-the-required~~  
48 ~~fee,-from-any-branch-office-of-the-Bureau-of-Motor-Vehicles-of~~  
50 ~~the-Secretary-of-State,-from-troop-barracks-of-the-Maine-State~~  
~~Police-as-are-designated-by-mutual-agreement-of-the-Commissioner~~  
~~of-Public-Safety-and-the-Secretary-of-State,-or-from-any-agent-of~~  
~~the-Secretary-of-State-who-has-been-appointed-for-that-specific~~  
~~purpose,-Agents-appointed-by-the-Secretary-of-State-may-charge~~  
~~an-applicant-for-a-short-term-permit-\$1-extra-over-and-above-the~~

2 required permit fee and may retain the dollar as compensation for  
 4 performing this function. A permit may not be issued for less  
 6 than one month and a permit may not extend beyond the expiration  
 8 of the regular license. The appointment of agents is limited to  
 either municipal tax collectors or town or city managers. The fee  
 is a percentage of the difference between the owner's present  
 annual registration fee and the annual fee for the desired  
 tonnage and is computed according to the following table:

10	1-month permit.....	20%
12	2-month permit.....	30%
14	3-month permit.....	40%
16	4-month permit.....	50%
18	5-month permit.....	60%
20	6-month permit.....	70%
22	7-month permit.....	75%
24	8-month permit.....	80%

26 When a truck is already registered, except for vehicles with  
 28 apportioned registration, the owner may receive a short term  
 30 permit allowing the owner to haul loads of larger tonnage, if the  
 32 loads are not in excess of the requirements of section 1652, for  
 a limited period of 8 months or less. These short term permits  
 may be obtained, upon payment of the required fee, from any  
 branch office of the Bureau of Motor Vehicles of the Secretary of  
 State, from troop barracks of the Maine State Police that are  
 34 designated by mutual agreement of the Commissioner of Public  
 Safety and the Secretary of State, or from any agent of the  
 36 Secretary of State who has been appointed for that specific  
 purpose. Agents appointed by the Secretary of State may charge  
 38 an applicant for a short term permit \$1 extra over and above the  
 required permit fee and may retain the dollar as compensation for  
 40 performing this function. A permit may not be issued for less  
 42 than one month and a permit may not extend beyond the expiration  
 of the regular license. The appointment of agents is limited to  
 44 either municipal tax collectors or town or city managers. The fee  
 is a percentage of the difference between the owner's present  
 46 annual registration fee and the annual fee for the desired  
 tonnage and is computed according to the following table:

48	1-month permit.....	20%
50	2-month permit.....	30%

2	3-month-permit	40%
4	4-month-permit	50%
6	5-month-permit	60%
8	6-month-permit	70%
10	7-month-permit	75%
12	8-month-permit	80%

14        When a truck is properly base-registered in this State, the  
16        registrant may increase the registered gross weight of the truck  
18        upon application and payment of the proper fee. Temporary  
20        registered gross weight increases may be issued by the Bureau of  
22        Motor Vehicles, the Bureau of State Police or by any agent  
24        appointed by the Secretary of State who has been appointed for  
26        that specific purpose. Agents must be either municipal tax  
28        collectors or town or city managers.

24        Temporary registered gross weight increases must be issued  
26        for at least one month and may not exceed 8 months. A temporary  
28        registered gross weight increase may not extend beyond the  
30        expiration of the regular registration.

28        The fee for a temporary registered gross weight increase is  
30        the difference between the annual fee for the original  
32        registration and the annual fee for the desired temporary  
34        registered gross weight, multiplied by the percentage in the  
36        following table:

34	<u>1-month increase</u>	<u>20%</u>
36	<u>2-month increase</u>	<u>30%</u>
38	<u>3-month increase</u>	<u>40%</u>
40	<u>4-month increase</u>	<u>50%</u>
42	<u>5-month increase</u>	<u>60%</u>
44	<u>6-month increase</u>	<u>70%</u>
46	<u>7-month increase</u>	<u>75%</u>
48	<u>8-month increase</u>	<u>80%</u>

2 Vehicles base-registered in this State pursuant to the  
3 International Registration Plan may be issued a temporary  
4 registered gross weight increase pursuant to this section. The  
5 fee is not apportionable and the temporary registered gross  
6 weight increase is valid only in this State or in a jurisdiction  
7 not a member of the International Registration Plan.

8 The Secretary of State may issue temporary registered gross  
9 weight increases by facsimile. The Secretary of State may make  
10 such provisions as the Secretary of State considers necessary to  
11 ensure the integrity of facsimile documents.

12  
13 On any application by an owner of a farm motor truck having  
14 ~~2-or-3-axles~~, when ~~such-trucks-are~~ that truck is used primarily  
15 for transportation of agricultural produce, grown by the owner on  
16 his the owner's farm or farms, 1/2 the registration fee may be  
17 charged during the last 6 months of a registration year.

18  
19 Except as provided by 26 Code of Federal Regulations,  
20 Section 41.6001-2(b)(3), effective May 23, 1985, no registration  
21 certificate may be issued for any heavy vehicle subject to the  
22 use tax imposed by the United States Internal Revenue Code of  
23 1954, Section 4481, until the applicant has presented proof of  
24 payment, in such form as prescribed by the Secretary of the  
25 United States Treasury.

26  
27 The Secretary of State shall ~~promulgate~~ adopt such rules as  
28 ~~he-deems~~ the Secretary of State considers necessary to implement  
29 this section, and shall keep such records and issue such evidence  
30 as ~~he-deems~~ the Secretary of State considers necessary to comply  
31 with 26 Code of Federal Regulations, Part 41, revised as of May  
32 23, 1985, and the United States Internal Revenue Code of 1954,  
33 Sections 4481, 4482 and 4483. Pursuant to rule, the Secretary of  
34 State may provide owners of vehicles with certification that  
35 their vehicles qualify for exemptions of the United States Heavy  
36 Vehicle Use Tax under 26 Code of Federal Regulations, Section  
37 41.4483-3(g) or Section 41.4483-6(b), revised as of May 23, 1985.

38  
39 The annual fee for registration of motor homes shall must be  
40 in accordance with the fee schedule established by this section  
41 for farm motor trucks.

42  
43 The Secretary of State may select and issue a special  
44 distinguishing letter, mark or design for number plates issued to  
45 registrants of motor homes.

46  
47 **Sec. A-8. 29 MRSA §252, first ¶**, as amended by PL 1989, c. 481,  
48 Pt. A, §9, is further amended to read:

2 On application to the Secretary of State, any handicapped  
3 person or the spouse, parents or legal guardian of a handicapped  
4 person who has registered a motor vehicle as the motor vehicle of  
5 principal use by the handicapped person shall must be issued a  
6 set of special designating plates to be used in place of the  
7 regular registration plates. A handicapped person who has  
8 registered a motorcycle, upon application, also must be issued a  
9 special designating plate to be used in place of the regular  
10 motorcycle registration plates. A permanent placard may be  
11 issued under this section and shall must be so affixed so that  
12 the information on the placard shall ~~be~~ is clearly legible from  
13 the outside of the the motor vehicle. The placard shall must  
14 contain the name of the handicapped person. The Secretary of  
15 State shall establish by regulation a system of color coding for  
16 placards issued pursuant to this section for the purpose of  
17 facilitating the determination of validity of placards. When the  
18 Secretary of State ~~deems~~ considers it appropriate, a placard may  
19 be issued to any handicapped person who does not have a duly  
20 registered motor vehicle. In such cases, the placard may be  
21 displayed on any motor vehicle properly registered in this State,  
22 but it may only be so displayed during the time when the  
23 handicapped person is a passenger in the vehicle, when the driver  
24 of the vehicle is transporting the handicapped person or when the  
25 driver is waiting for a service to be rendered to the handicapped  
26 person. The annual registration fee is as set forth in this  
27 subchapter for the type of vehicle assigned the special  
28 designating plates or placard. A \$1 fee shall must be charged  
29 for each placard issued.

30 **Sec. A-9. 29 MRSA §261, first ¶,** as enacted by PL 1991, c. 788,  
31 §4, is amended to read:

32  
33 Upon receiving an application and the payment of a fee of  
34 \$10, the Secretary of State may issue an annual registration  
35 permit for truck campers, except that a registration permit is  
36 not needed for a truck camper purchased from a person who is  
37 engaged in the business of selling truck campers for the 14-day  
38 period immediately following the purchase.

39 **Sec. A-10. 29 MRSA §343, sub-§1,** as repealed and replaced by  
40 PL 1985, c. 737, Pt. A, §82, is amended to read:

41  
42 **1. Facilities and personnel.** To qualify as a dealer under  
43 this subchapter, the applicant shall must have and maintain at  
44 least the following facilities and personnel set forth in  
45 paragraphs A to E and make the following disclosures set forth in  
46 paragraph F:

47  
48 A. Proper facilities for the display of the vehicles being  
49 handled;

- 2 B. Repair department for the repair of 2 vehicles  
3 simultaneously;
- 4 C. Sufficient tools and equipment for proper servicing of  
5 the vehicles handled;
- 6 D. A suitable office from which business is conducted and  
7 records of the business are kept;
- 8 E. At least one mechanic, who may be the owner, who has a  
9 thorough knowledge of the vehicles being handled; and
- 10 F. On all used motor vehicles being offered for sale, the  
11 written vehicle history statement required to be  
12 conspicuously affixed to the vehicle pursuant to Title 10,  
13 section 1475.

14 Each licensee shall maintain a current record of all full-time  
15 personnel ~~employed at his established place of business, all~~  
16 full-time sales persons, the general manager, the sales manager  
17 and the service manager, including their full names, dates of  
18 birth, social security numbers and home addresses. The record  
19 shall must at all times be available for inspection by the  
20 Secretary of State or his duly authorized agents of the Secretary  
21 of State.

22 **Sec. A-11. 29 MRSA §343, sub-§2,** as amended by PL 1985, c.  
23 401, §5, is repealed and the following enacted in its place:

- 24 **2. Exemptions.** The following exemptions apply.
- 25 A. A person who held used car registration plates on  
26 January 1, 1964 is exempt from only those requirements under  
27 subsection 1, paragraphs B and E. However, the exemption  
28 from these requirements expires when a person who held used  
29 car dealer registration plates on January 1, 1964 sells or  
30 discontinues the business or is not licensed, using these  
31 exemptions, for the year beginning January 1, 1985.
- 32 B. A vehicle manufacturer who does not retail vehicles  
33 directly to the public is exempt from the requirements under  
34 subsection 1, except the requirement under paragraph D.

35 **Sec. A-12. 29 MRSA §343, sub-§3,** as amended by PL 1985, c.  
36 265, §5, is further amended to read:

- 37 **3. Penalty.** Failure to comply with subsection 1, paragraphs  
38 A to E is a Class E crime.

50

2           Sec. A-13. 29 MRSA §354, sub-§1, as amended by PL 1991, c.  
3 597, §12, is further amended to read:

4           1. **Vehicle manufacturers and new and used vehicle dealers.**  
5     No A vehicle manufacturer, new vehicle dealer or used vehicle  
6     dealer may not operate or permit to be operated a vehicle owned  
7     or controlled by the vehicle manufacturer, new vehicle dealer or  
8     used vehicle dealer using a dealer registration plate and no a  
9     person shall may not operate a vehicle using a dealer  
10    registration plate except for:

12           A. ~~For--purposes~~ Purposes directly connected with the  
13    business of buying, servicing, selling, testing, adjusting,  
14    demonstrating or exchanging vehicles, including use of that  
15    vehicle by a full-time employee to attend schools and  
16    seminars designed to assist the employee in the testing,  
17    adjusting or servicing of vehicles;

18           C. ~~For--personal~~ Personal use of a manufacturer or dealer.  
19    There shall may be no more than one dealer plate for the  
20    personal use of the manufacturer or dealer and ~~no more than~~  
21    one dealer plate for the immediate family of the dealer;

22           D. ~~For--the~~ The use of those vehicles in funerals or in  
23    public parades when no charge is made for the use;

24           E. ~~For--the~~ The use of a full-time salesman salesperson,  
25    general manager, sales manager or service manager who is on  
26    the dealer's payroll, but not the immediate family or  
27    members of the household of a salesman salesperson, general  
28    manager, sales manager or service manager;

29           F. ~~For~~ The use by customers for the purpose of  
30    demonstrating those vehicles for a period not to exceed 7  
31    days; or

32           ~~G.--A violation of paragraphs A to F is a traffic infraction  
33    for which a minimum forfeiture of \$200 shall be adjudged for  
34    each infraction, not to be suspended, or~~

35           H. ~~For~~ The use of vehicles by manufacturers or dealers  
36    provided the combined weight of the vehicle and any load  
37    does not exceed 10,000 pounds.

38           This paragraph does not apply to any vehicle which, that by  
39    design, exceeds 10,000 pounds without a load, such as large  
40    trucks and trucks with permanently attached equipment and  
41    dealer wreckers registered pursuant to subsection 3.

2 In order for any vehicle having a net an unladen weight of  
4 more than 10,000 pounds to carry a load, a permit must be  
6 issued pursuant to subsection 4.

8 This subsection ~~is to be applicable~~ applies to all new and used  
10 car dealers and holders of transporter registrations and plates  
12 issued pursuant to chapter 5, subchapter III-A.

14 A failure to comply with paragraphs A to F is a traffic  
16 infraction for which a minimum forfeiture of \$200 must be  
18 adjudged for each infraction. This forfeiture may not be  
20 suspended.

22 Any A person licensed pursuant to this subchapter as a new or  
24 used vehicle dealer may attach to the dealer's service vehicles a  
26 specially designed service vehicle plate that may be used only in  
28 the direct connection of with the licensee's business. A dealer  
30 may only attach a service vehicle plate to a vehicle used for the  
32 service or repair of vehicles sold or being repaired by the  
34 licensee. A dealer may not attach a service vehicle plate to a  
36 vehicle that delivers parts to individuals or to businesses that  
38 are not owned by the licensee. No A new or used vehicle dealer  
40 may obtain more than 3 service vehicle plates at each established  
42 place of business or annex, and the weight limitation for service  
44 vehicles, including combined weight of vehicle and any load, may  
46 not exceed 24,000 pounds. The Secretary of State shall determine  
48 the number of service vehicle plates issued to a dealer. The fee  
50 for a specially designed service vehicle plate is \$50 annually  
per plate, except that on application for additional plates  
between September 1st and December 31st in any year, the fee is  
\$25 per plate.

32 **Sec. A-14. 29 MRSA §354, sub-§2, as amended by PL 1991, c.**  
34 **837, Pt. A, §68, is further amended to read:**

36 **2. Equipment dealers.** Equipment dealer plates may be  
38 attached to the vehicles described in paragraphs A to P for  
40 demonstration, emergency and service purposes only, unless  
42 otherwise prohibited for use on the highways:

- 44 A. Motorized graders;
- 46 B. Power shovels;
- 48 C. Front-end loaders;
- 50 D. Backhoes;
- E. Rubber tired bulldozers;



- 2 F. Large 4-wheel drive type trucks and snowplows;  
4 G. Motor cranes;  
6 H. Road sweepers;  
8 I. Sidewalk cleaners;  
10 J. Log skidders;  
12 K. Other related heavy equipment;  
14 L. Farm tractors;  
16 M. Self-propelled combines;  
18 N. Harvesters;  
20 O. Other related farm machinery; and  
22 P. Any equipment or motor vehicle taken in trade.

24 A specially designed equipment dealer plate may be attached to a  
26 motor truck used for service in direct connection with the  
28 equipment dealer business. ~~Any motor truck to which a specially  
30 designed equipment dealer plate has been attached may not be used  
32 for any purpose except in the service of equipment directly  
34 connected with the business of the equipment dealer. An equipment  
36 dealer may only attach a service vehicle plate to a motor truck  
used for the service or repair of vehicles or equipment sold or  
being repaired by the licensee. An equipment dealer may not  
attach a service vehicle plate to a vehicle that delivers parts  
to individuals or to businesses that are not owned by the  
licensee. No An equipment dealer business may not be provided  
with more than 3 specially designed equipment dealer plates at  
each established place of business or annex.~~

38 The Bureau of Motor Vehicles within the Department of the  
40 Secretary of State must be reimbursed from the Highway Fund \$1  
42 for each plate issued in 1980 under this section for costs  
44 incurred by the bureau to obtain the plates.

46 **Sec. A-15. 29 MRSA §542, as amended by PL 1991, c. 824, Pt.  
48 A, §59, is further amended to read:**

46 **§542. Expiration**

48 All Effective July 1, 1993, all new and renewal licenses to  
50 operate motor vehicles expire at midnight on the license holder's  
4th 6th birthday next following the date of issuance of license.

2 The fee for such the license is \$18, ~~\$27~~, except that, ~~effective~~  
3 ~~October 1, 1991~~, a fee of \$23 ~~\$35~~ must be charged for each new  
4 and renewal commercial driver's license.

6 All operator licenses issued before July 1, 1993 expire at  
7 midnight on the license holder's 4th birthday next following the  
8 date of issuance of license.

10 A person born on February 29th is, for the purposes of this  
11 section, considered as born on March 1st.

12 **Sec. A-16. 29 MRSA §1652, sub-§1, ¶F,** as amended by PL 1991,  
13 c. 837, Pt. A, §72, is further amended by repealing subparagraph  
14 (10).

16 **Sec. A-17. 29 MRSA §1652, sub-§1, ¶G,** as enacted by PL 1991,  
17 c. 410, Pt. A, §2, is amended by repealing subparagraph (8),  
18 division (c).

20 **Sec. A-18. 29 MRSA §1653, 3rd ¶,** as amended by PL 1989, c.  
21 754, Pt. C, §4, is further amended to read:

22  
23 If the weight of the vehicle exceeds the allowable gross  
24 weight, including the weight ~~specified in any applicable~~  
25 ~~commodity permit~~ permitted in section 1655, by 20% or more, the  
26 police officer shall affix an out-of-service sticker to the  
27 windshield until the vehicle is brought into compliance with the  
28 prescribed weight limits and shall ~~require that no person move~~  
29 prohibit the use of the vehicle until it is brought into  
30 compliance. Any A person who moves that vehicle before it is  
31 brought into compliance and the out-of-service sticker has been  
32 signed by a police officer to attest to that fact ~~is guilty of~~  
33 commits a Class E crime. When the vehicle is brought into  
34 compliance, that fact may be attested by any police officer, who  
35 shall sign the out-of-service sticker. Any An owner or operator  
36 who fails to have the out-of-service sticker attested or who  
37 fails to return or deliver the attested out-of-service sticker or  
38 attested portion of that sticker to the Bureau of State Police  
39 within 15 days of issuance ~~is guilty of~~ commits a traffic  
40 infraction.

42 **Sec. A-19. 29 MRSA §1654-A, sub-§1,** as enacted by PL 1989, c.  
43 528, §7, is amended to read:

44  
45 **1. Traffic infraction.** A person who operates or causes  
46 operation of any motor vehicle in violation of any provision for  
47 gross weight by exceeding the allowable weight limit, including  
48 the weight limit ~~specified in any applicable commodity permit~~  
49 permitted in section 1655, by 20% or more ~~is guilty of~~ commits  
50 aggravated excessive vehicle weight for each violation. Except

2 as provided in section 1654-B, aggravated excessive vehicle  
weight is a traffic infraction.

4 **Sec. A-20. 29 MRSA §1655, first ¶**, as amended by PL 1991, c.  
694, §3, is further amended to read:

6  
8 The operation on the highways of any a vehicle loaded  
entirely with building materials that absorb moisture during  
10 delivery originating and terminating within the State, bark,  
sawdust, firewood, sawed lumber, dimension lumber, pulpwood, wood  
12 chips, logs, soils, unconsolidated rock materials including  
limestone, bolts, farm produce, road salt, manufacturer's  
14 concrete products, solid waste or incinerator ash; or dump  
trucks, tractor dump trucks or transit-mix concrete trucks  
16 carrying highway construction materials; or any vehicle loaded  
with a majority of products requiring refrigeration, whether by  
18 ice or mechanical equipment, and on those vehicles when inspected  
by the State Police, the number of the seal must be recorded and  
the number of the new seal must be recorded by the State Police,  
20 and the operation on the highways of any vehicle loaded with raw  
ore from mine or quarry to place of processing is not in  
22 violation if the gross weight of that vehicle does not exceed  
110% of the maximum gross weight permitted for that vehicle by  
24 section 1652 and provided that the maximum axle load does not  
exceed 24,200 pounds for a ~~single-axle~~ single-axle unit, 46,000  
26 pounds for a ~~tandem-axle~~ tandem-axle unit and 54,000 pounds for a  
tri-axle unit, except that 64,000 pounds is permitted on the  
28 tri-axle unit of a 4-axle motor vehicle hauling forest products  
~~provided that a special commodity permit is obtained.~~ When any  
30 of the tolerances in this section are exceeded, the difference  
between the actual weights and the respective limits established  
32 in section 1652 must be used as the basis for determining the  
percentage of overload on which the penalty in section 1654 is  
34 assessed.

36 **Sec. A-21. 29 MRSA §1655, 4th and 5th ¶¶**, as repealed and  
replaced by PL 1989, c. 528, §§8 and 16, are repealed.

38 **Sec. A-22. 29 MRSA §1655, 6th ¶**, as amended by PL 1991, c.  
40 837, Pt. A, §73, is repealed.

42 **Sec. A-23. 29 MRSA §1655, 7th to 9th ¶¶**, as repealed and  
replaced by PL 1989, c. 528, §§8 and 16, are repealed.

44 **Sec. A-24. 29 MRSA §2353, sub-§2, ¶¶B and C**, as enacted by PL  
46 1973, c. 586, §1, are amended to read:

48 B. Adopt and enforce reasonable rules to carry out this  
chapter; and

50

2 C. Assign a new identification number to a vehicle if it  
has none, ~~or its~~ if the vehicle's identification number is  
4 destroyed or obliterated, ~~or its meter~~ if the frame, chassis  
or, if the vehicle is a truck, the cab is changed, and shall  
6 either issue a new certificate of title showing the new  
identification number ~~or make an appropriate endorsement on~~  
8 the original upon surrender of the old certificate and  
completion of an application for title and payment of the  
fee.

10 Sec. A-25. 29 MRSA §2362, sub-§13, as enacted by PL 1981, c.  
12 456, Pt. A, §99, is repealed.

14 Sec. A-26. 29 MRSA §2362, sub-§13-A is enacted to read:

16 13-A. Model year prior to 1984. Vehicles with a model year  
18 prior to 1984;

20 Sec. A-27. 29 MRSA §2364, sub-§1, ¶B, as amended by PL 1985,  
c. 401, §17, is further amended to read:

22 B. A description of the vehicle including, so far as the  
following data exists, ~~its~~ the make, model, model year,  
24 identification number, type of body, ~~the number of~~  
~~cylinders,~~ and current mileage and whether the vehicle is  
26 new or used;

28 Sec. A-28. 29 MRSA §2367, sub-§1, ¶E, as amended by PL 1985,  
c. 401, §18, is further amended to read:

30 E. A description of the vehicle including, insofar as the  
32 following data exists, ~~its~~ the make, model, model year  
designation, identification number, type of body, ~~number of~~  
34 ~~cylinders,~~ and current mileage and whether the vehicle is  
36 new or used, current mileage and, if a new vehicle, the date  
of the first sale of the vehicle for use; and

38 Sec. A-29. 29 MRSA §2372, sub-§1, as amended by PL 1989, c.  
40 902, §5 and affected by §14, is further amended to read:

42 1. **Transfer; owner.** If an owner transfers interest in a  
vehicle, other than by the creation of a security interest, the  
owner shall execute, at the time of delivery of the vehicle,  
44 ~~execute~~ an assignment and warranty of title to the transferee in  
the space provided ~~therefor~~ on the certificate or as the  
46 Secretary of State prescribes, including the odometer information  
required by section 364-A, and cause the certificate and  
48 assignment to be mailed or delivered to the transferee or to the  
Secretary of State. Except as provided in section 2373, an owner  
50 must provide the transferee with a properly released certificate

2 of lien if a certificate was issued to any lienholder listed on  
the owner's title or salvage certificate. A transferee other  
4 than a dealer licensed under chapter 5, subchapter III-A shall  
obtain a title in the transferee's name before transferring the  
vehicle to another person.

6 **Sec. A-30. 29 MRSA §2443**, as amended by PL 1981, c. 437, §§27  
8 to 29, is further amended to read:

10 **§2443. Other offenses**

12 **1. Penalty.** A person who commits any of the following acts  
~~is guilty of~~ commits a Class E crime:

14 A. Permits another, not entitled thereto to a certificate  
16 of title or a certificate of salvage, to use or have  
possession of a certificate of title or a certificate of  
18 salvage;

20 B. Fails to mail or deliver a certificate of title,  
certificate of salvage or application thereof to the  
22 Secretary of State within 10 days after the time required by  
this chapter;

24 C. Fails to deliver to his a transferee a certificate of  
26 title or certificate of salvage within 10 days after the  
time required by this chapter;

28 D. Fails to have a correctly assigned clear title to a  
30 vehicle as required by section 2373; or

32 E. Violates any provision of this chapter, except as  
provided in subsection 2 or section 2442.

34 **2. Infraction.** When a dealer licensed under chapter 5,  
36 subchapter III-A acquires a vehicle, the dealer may not possess a  
transfer required by section 364-A for the transfer of that  
38 vehicle to the dealer that does not state the odometer reading  
and the names of the transferors or the name of the dealer as  
40 transferee. A dealer that violates this subsection commits a  
traffic infraction for which a minimum forfeiture of \$200 must be  
42 adjudged for each infraction. This forfeiture may not be  
suspended.

44 **Sec. A-31. 29 MRSA §2610, sub-§1, ¶¶D and E**, as enacted by PL  
46 1991, c. 458, §1, are amended to read:

48 D. Left on property without the permission of the property  
owner or person in charge of the property or premises where  
50 the vehicle is located; or

2 E. Left at a place of business after being repaired  
4 pursuant to a written work order signed by the person  
requesting the repair work; or

6 Sec. A-32. 29 MRSA §2610, sub-§1, ¶F is enacted to read:

8 F. Left on an individual's residential property for more  
10 than 6 months.

12 PART B

14 Sec. B-1. 29 MRSA §242, sub-§1, ¶¶H and I, as amended by PL  
1991, c. 598, §1, are repealed.

16 Sec. B-2. 29 MRSA §242, last ¶, as enacted by PL 1987, c. 79,  
18 §§1 and 7, is repealed.

20 Sec. B-3. 29 MRSA §§245-C and 246-E are enacted to read:

22 §245-C. Register vehicles in semipermanent plate period

24 A person registering pursuant to section 245-A or 245-B may  
26 register a semitrailer for fewer than 8 years only to maintain a  
common expiration date for a fleet.

28 §246-E. Vehicles registered pursuant to the International  
30 Registration Plan

32 Notwithstanding any other provision of this Title, the  
34 following provisions apply to vehicles required to be registered  
pursuant to the International Registration Plan, referred to in  
this section as the "plan."

36 1. Cab cards. For each vehicle base registered in this  
38 State under the plan, there is a fee of \$5 for each original cab  
card or replacement cab card.

40 2. Temporary registration. The Secretary of State may  
42 issue a temporary registration certificate to a vehicle for which  
an application for registration has been made. Temporary  
44 registrations may be issued for periods not to exceed 45 days.  
Only one temporary registration may be issued per vehicle per  
46 year.

48 3. Trip permits. The Secretary of State may issue 72-hour  
trip permits for vehicles required to be registered in the plan  
that have not been apportioned with this State. The fee for each  
50 trip permit is \$25 per vehicle. Trip permits provide all the  
privileges of the plan.

2           4. Display of registration plate. Vehicles being  
3 registered in the plan for the first time may be operated without  
4 displaying a registration plate if the vehicle has been issued a  
5 valid temporary registration by the base jurisdiction.

6           5. Facsimile credentials. The Secretary of State may issue  
7 facsimile credentials identifying specific vehicles for  
8 registration purposes. Temporary facsimile credentials issued by  
9 another jurisdiction pursuant to the plan may be accepted as  
10 proof that a vehicle is legally registered.

11           6. Unladen weight permits. The Secretary of State may  
12 issue unladen weight permits for motor vehicles based in this  
13 State or last registered in this State and otherwise required to  
14 be registered in the plan. An unladen weight permit allows a  
15 motor vehicle to be operated without a load in a plan  
16 jurisdiction without an apportioned registration. The fee for an  
17 unladen weight permit is \$25. The permit is valid for 30 days.  
18 The Secretary of State may require any information that the  
19 Secretary of State considers necessary.

20           7. Refunds. The Secretary of State may issue a refund of  
21 registration fees paid for operating in this State when the  
22 Secretary of State determines that a registrant was assessed too  
23 great a registration fee. The Secretary of State may not refund  
24 a registration fee collected for another jurisdiction, but may  
25 assist a motor carrier based in this State in obtaining refunds  
26 from other member jurisdictions. The Secretary of State is not  
27 required to refund any amount of less than \$5.

28           8. Presentation of credentials. Upon request of any law  
29 enforcement officer, an operator of a motor vehicle registered  
30 pursuant to the plan must present temporary or permanent  
31 credentials for inspection.

32           9. Penalty. Notwithstanding any other provisions of this  
33 Title, failure to comply with the registration requirements of  
34 the plan is a traffic infraction. The minimum forfeiture for  
35 this violation is \$500. The Secretary of State shall notify the  
36 registrant's base jurisdiction of the violation. Presenting  
37 altered credentials is a Class E crime.

38           Sec. B-4. 29 MRSA §2243-A, sub-§3, as amended by PL 1991, c.  
39 598, §6, is further amended to read:

40           3. Registration transition. The registration of motor  
41 vehicles that are to be registered under the International  
42 Registration Plan, ~~issued in the 12 months prior to Maine's~~  
43 ~~entry, must~~ may be prorated on a monthly basis. Prorated  
44  
45  
46  
47  
48  
49  
50

2 registrations may be issued for any number of months necessary to  
provide for the consolidation of fleets of vehicles under a  
single expiration date.

4  
6 **Sec. B-5. 29 MRSA §2702-A** is enacted to read:

8 **§2702-A. Multistate agreement authority**

10 **1. Authorization.** The Secretary of State, acting with the  
concurrence of the Commissioner of Transportation and the  
Commissioner of Public Safety, may enter into a multistate  
12 agreement for the administration of this chapter.

14 **2. Purpose.** It is the purpose of this section to:

16 A. Promote and encourage the fullest and most efficient use  
of the highway system by providing for a single point of  
18 contact for the administration of states' operating  
authority requirements;

20 B. Provide for a uniform set of rules among participating  
22 states;

24 C. Enable participating states to act cooperatively in the  
collection of fees and the enforcement of insurance  
26 requirements; and

28 D. Establish and maintain the concept of one administrating  
state for each permittee based on the rules established  
30 under an agreement.

32 **3. Principle.** The Legislature, in authorizing the  
Secretary of State to enter into an agreement, recognizes that  
34 the concept of one administrating state should promote the more  
efficient use of the highway system while protecting the  
36 travelling public. The Legislature further recognizes that any  
agreement should reduce the administrative burden for the motor  
38 carrier industry by limiting the number of contacts necessary  
when a motor carrier operates in interstate commerce.

40 **4. Authorization.** The Secretary of State may enter into a  
42 multistate agreement for the administration of this chapter  
consistent with the purposes and principles of this section. The  
44 Secretary of State may collect and distribute fees for other  
participating jurisdictions and receive fees from those  
46 jurisdictions collected on behalf of this State.

48 **5. Rules.** The Secretary of State may make rules to  
50 implement an agreement entered under this section.





2 required facilities except an office where records are kept. It  
also requires dealers to keep a record of all employees entitled  
4 to use a dealer plate.

6 The bill allows up to 3 service plates at each of the  
dealer's locations and limits the use of service vehicle plates  
8 by new and used vehicle dealers and equipment dealers to vehicles  
that will be used for servicing vehicles sold or repaired by the  
10 licensee and to delivering parts to businesses owned by the  
licensee.

12 The bill also changes the length of an operator's license  
from 4 to 6 years.

14 The bill also repeals the requirement that vehicles  
16 operating at the weight tolerance limits have a special commodity  
permit. The bill also increases the registration fees by \$2 for  
18 trucks over 26,000 pounds.

20 The bill provides for a handicapped motorcycle plate.

22 The bill eliminates the need for an assigned vehicle  
identification number for a change of a motor but requires that a  
24 new vehicle identification number is necessary for a change in  
frame, chassis and pick-up cab.

26 The bill makes changes to the laws dealing with the title of  
28 an automobile.

30 The bill prohibits dealers from having "open" transfers  
without the prior owner listed as a seller or their dealership  
32 listed as buyer or without a current odometer reading. A dealer  
in possession of an open transfer commits a traffic infraction.

34 The bill applies the abandoned vehicle laws to a vehicle  
36 left on residential property for more than 6 months, even if the  
individual owning the residence gave permission for the vehicle  
38 owner to park at the residence.

40 The bill authorizes the Secretary of State to enter into a  
multistate agreement for the purpose of providing continuous  
42 proof of for-hire motor carrier liability insurance.

44 The bill makes changes necessary to facilitate Maine's  
participation in the International Registration Plan. The  
46 International Registration Plan is a registration proration  
agreement required by the Federal Government. The International  
48 Registration Plan provides for more uniformity among states,  
greater flexibility for the motor carrier and a more equitable  
50 sharing of registration fees.