

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 1492

S.P. 544

In Senate, May 4, 1995

An Act to Authorize Inspection of Truck Weight Records by Maine State Police.

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS
Secretary of the Senate

Presented by Senator MILLS of Somerset.

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

4 **Sec. 1. 10 MRSA §2630** is enacted to read:

6 **§2630. Recordkeeping of weighed commodities**

8 **1. Content of records.** A purchaser or receiver of a commodity who weighs the commodity before or after unloading shall keep a written record of the following:

10 **A. The origin, weight and composition of each shipment;**

12 **B. The date of receipt;**

14 **C. The name and address of the shipper; and**

16 **D. The total number of axles on the vehicle or combination of vehicles used to ship the commodity and the registration numbers of any such vehicle.**

20 **2. Retention and inspection.** The record required by subsection 1 must be retained for 30 days by the purchaser or receiver and must be open to inspection and copying by a State Police officer upon demand. A search warrant is not required to inspect or copy the record.

22 **3. Violation.** A person who fails to keep, maintain or open for inspection and copying, records required in subsection 1 commits a Class E crime. A person who does not accurately record the information required to be contained in those documents required in subsection 1 commits a Class E crime.

26 **Sec. 2. 29-A MRSA §2359-A** is enacted to read:

28 **§2359-A. Relevant evidence**

30 A record required to be kept under Title 10, section 2630 indicating a unit of measure that, when converted to weight and combined with the weight of the empty vehicle, indicates a gross weight in excess of the prescribed maximum weight limitation permitted by this chapter is relevant evidence that the weight of the vehicle and load is unlawful. This section does not limit the introduction of other competent evidence bearing upon the question of whether or not there is a violation of the maximum weight limitations established in this chapter.

STATEMENT OF FACT

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This bill, modelled after similar provisions in Minnesota, requires any person who purchases or receives commodities that are weighed before or after loading to keep a written record for at least 30 days containing information about the shipment, including the weight of the shipment, identification of the shipper and the number of axles and registration of the shipping vehicle. Under this bill, the records must be open to inspection and copying by the State Police and may be used as relevant evidence of maximum vehicle weight limits established under the motor vehicle laws.