

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

SECOND REGULAR SESSION-1996

Legislative Document

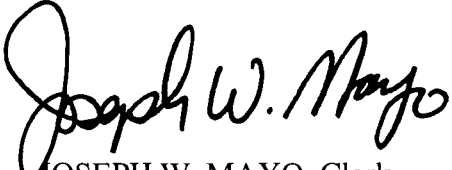
No. 1639

H.P. 1195

House of Representatives, January 4, 1996

**An Act to Amend Certain Motor Vehicle Laws Including Those
Affecting the University of Maine System Plate and the Certificate of
Lien.**

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.
Reference to the Committee on Transportation suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative STROUT of Corinth.
Cosponsored by Senator STEVENS of Androscoggin and
Representatives: BAILEY of Township 27, HEINO of Boothbay, O'GARA of Westbrook,
Senator: CASSIDY of Washington.

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

2
3 **Sec. 1. 10 MRSA §1661-A**, as amended by PL 1995, c. 65, Pt. A,
4 §23 and affected by §153 and Pt. C, §15, is further amended to
5 read:

6
7 **§1661-A. Gasoline stations to provide services for handicapped**
8 **drivers**

9
10 Every full-service gasoline station offering self-service
11 pumping at a lesser cost shall require an attendant employed by
12 the station to dispense gasoline to any motor vehicle properly
13 displaying a handicapped placard or special designating plates
14 issued under Title 29-A, section 521, when the person to whom the
15 placard or plates have been issued is the operator of the
16 vehicle, the service is requested, the operator has a driver's
17 license designated with a code H- S, restricted to special
18 equipment, and there is no nonhandicapped adult in the motor
19 vehicle.

20 **Sec. 2. 29-A MRSA §101, sub-§17-A** is enacted to read:

21
22 **17-A. Consumer rental vehicle.** "Consumer rental vehicle"
23 means a motor vehicle offered to the public for rent or lease for
24 a period of fewer than 30 days.

25
26 **Sec. 3. 29-A MRSA §456**, as affected by PL 1995, c. 65, Pt. A,
27 §153 and Pt. C, §15 and as amended by Pt. C, §2, is further
28 amended to read:

29 **§456. University of Maine System; special registration plates**

30
31 **1. University of Maine System plate.** The Secretary of
32 State, upon receiving an application and evidence of payment of
33 the excise tax required by Title 36, section 1482, the
34 registration fee required by section 501 and the administrative
35 fee and voluntary contribution provided for in subsection 2,
36 shall issue a registration certificate and a set of University of
37 Maine System registration plates to be used in lieu of regular
38 registration plates. These plates must bear identification
39 numbers and letters. ~~The number of characters appearing on a~~
40 ~~plate may not exceed 7.~~

41
42 **2. Administrative fee and contribution to University of**
43 **Maine System Scholarship Fund.** University of Maine System
44 special registration plates are not required for registration of
45 a motor vehicle. A person may contribute to the University of
46 Maine System Scholarship Fund by applying for the special
47 registration plates and submitting, in addition to the regular
48 motor vehicle registration fee, a sum of \$20 credited as follows:
49
50

2 A. Ten Fourteen dollars to the University of Maine System
Scholarship Fund established in Title 20-A, section 11631;
4 and

6 B. Ten Six dollars to the Highway Fund for administrative
and production costs.

8
3. **Design.** The Secretary of State shall determine a design
10 for the special University of Maine System plates. If the design
accommodates the use of numbers and letters as provided in
12 section 453, the Secretary of State shall issue upon request
University of Maine System plates that are also vanity plates.
14 University of Maine System vanity plates are issued in accordance
with the provisions of this section and section 453.

16
5. **Renewal fee.** In addition to the regular motor vehicle
18 registration fee prescribed by law, the annual renewal
contribution for University of Maine System registration plates
20 is \$15, which must be deposited with the Treasurer of State and
credited as follows:

22
A. **Fourteen** dollars to the University of Maine System
24 Scholarship Fund established in Title 20-A, section 11631;
and

26
B. **One** dollar to the Highway Fund for administrative and
28 production costs.

30
6. **Reimbursement for production and issuance costs.** The
32 Treasurer of State shall transfer annually from the University of
Maine System Scholarship Fund to the Highway Fund \$6 for each
34 initial set of University of Maine System registration plates
issued and \$1 for each renewal of University of Maine System
36 registration plates. This transfer is to reimburse the Secretary
of State for costs associated with production and issuance of
plates.

38
Sec. 4. 29-A MRSA §457, sub-§2, as enacted by PL 1993, c. 683,
40 Pt. A, §2 and affected by Pt. B, §5, is repealed.

42
Sec. 5. 29-A MRSA §500 is enacted to read:

44
§500. General issue of registration plates

46
1. **General issue of registration plates.** The Secretary of
State shall provide a general issue of registration plates,
48 except as provided in subsection 2, for all vehicles required to
be registered in this State for operation on state highways. The
50 new general issue must begin July 1, 1997 and continue until the

2 registration of all vehicles required to meet this section is
3 completed.

4 2. Identify and design registrations. The Secretary of
5 State, with the advice and consent of the joint standing
6 committee of the Legislature having jurisdiction over
7 transportation matters, shall identify those registrations that
8 will be replaced and design new registrations. The Secretary of
9 State may modify and implement methods to identify speciality
10 registrations.

11 The Secretary of State shall adopt rules to implement this
12 section.

13 **Sec. 6. 29-A MRSA §521, sub-§3, ¶B,** as repealed and replaced
14 by PL 1995, c. 482, Pt. A, §4, is amended to read:

15 B. The placard must be blue with white print and contain
16 the International Symbol of Access, at least 3 inches high,
17 centered on the placard. The placard must contain the
18 permit number, the expiration date, ~~the name of the person~~
19 ~~with a disability~~ and the seal of the Secretary of State.
20 In the case of an organization or agency, the placard must
21 be green with white print and contain the same information,
22 except that the name of the organization must appear instead
23 ~~of the name of the person with a disability~~ and along with
24 the expiration date that must be determined by the Secretary
25 of State. A placard issued to a person with a disability
26 under this section expires in the applicant's month of birth
27 in the 4th year following the date of issuance.

28 **Sec. 7. 29-A MRSA §521, sub-§6, ¶B,** as repealed and replaced
29 by PL 1995, c. 482, Pt. A, §4, is amended to read:

30 B. The placard must be red with white print and contain the
31 International Symbol of Access, at least 3 inches high,
32 centered on the placard. The placard must contain the
33 permit number, the expiration date specified by the
34 physician, ~~the name of the person with a disability~~ and the
35 seal of the Secretary of State.

36 **Sec. 8. 29-A MRSA §651, sub-§5,** as enacted by PL 1993, c. 683,
37 Pt. A, §2 and affected by Pt. B, §5, is amended to read:

38 **5. Certificate of lien.** The Secretary of State shall ~~issue~~
39 ~~a certificate of lien~~ assign a lien to the first named
40 lienholder, when a certificate of title or a certificate of
41 salvage names a lienholder.

42 **Sec. 9. 29-A MRSA §651-A** is enacted to read:

43 **§651-A. Require certificate of lien; certificate of title;**

certificate of salvage

2 Notwithstanding any other provision of this Title, the
4 Secretary of State may require a certificate of lien, certificate
6 of title or certificate of salvage when necessary to perfect a
lien.

8 **Sec. 10. 29-A MRSA §657, sub-§§2 and 7,** as enacted by PL 1993,
10 c. 683, Pt. A, §2 and affected by Pt. B, §5, are amended to read:

12 **2. Assignment of title.** The Secretary of State, upon
14 receipt of a properly assigned certificate of title or
16 certificate of salvage with an application for a new certificate,
18 the required fee and any other documents required by law, shall
20 issue a new certificate of title or certificate of salvage in the
name of the transferee as owner and mail that certificate to the
owner. If a lienholder is named on the certificate of title or
certificate of salvage, the Secretary of State must mail a
certificate of lien, certificate of title or certificate of
salvage to the first named lienholder.

22 **7. Mailing of certificate.** The Secretary of State shall
24 mail a certificate of title or certificate of salvage to the
owner named on the certificate. The Secretary of State shall
26 also mail a certificate of lien, certificate of title or
certificate of salvage to the first lienholder named on the
28 certificate. ~~The--certificate--of--lien--must--contain--the--same~~
~~information--required--to--be--on--the--certificate--of--title--by--section~~
~~658,--subsection-1,--and--a--place--for--the--release--of--each--lien.~~

30 **Sec. 11. 29-A MRSA §664, sub-§3,** as enacted by PL 1993, c.
32 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

34 **3. Unreleased security interest.** If a certificate of title
36 shows an unreleased security interest, a dealer may not transfer
the vehicle unless the dealer possesses a properly released
38 certificate of lien ~~or--a--certificate--is--forthcoming--from--a~~
~~lienholder.~~

40 **Sec. 12. 29-A MRSA §665, sub-§5, ¶D,** as enacted by PL 1993, c.
42 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

44 D. The individual awarded the vehicle shall apply for a
46 certificate of title or certificate of salvage and, if there
was an unsatisfied lien at the time of the divorce decree,
shall state the lien on the application. Upon receipt of
48 the application, the required fee, the certificate of title
or salvage and proof of the award of the vehicle in a
divorce, the Secretary of State shall issue a title in the

2 name of the individual awarded the vehicle and, if there is
3 a lien on the vehicle, shall issue a certificate of lien,
4 certificate of title or certificate of salvage to the
5 lienholder.

6 **Sec. 13. 29-A MRSA §667, sub-§5, ¶A,** as amended by PL 1995, c.
7 482, Pt. A, §14, is repealed.

8 **Sec. 14. 29-A MRSA §667, sub-§5, ¶B,** as enacted by PL 1993, c.
9 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

10 B. The legend "rebuilt salvage" must appear on a
11 certificate of title for a rebuilt salvage vehicle if:

12 (1) Two or more vehicles with different frames are
13 joined;

14 (2) A salvage vehicle has 5 or more component parts
15 replaced; or

16 (3) A certificate of title with the legend "rebuilt
17 salvage" issued by the Secretary of State or by any
18 other jurisdiction accompanies an application to the
19 State for a subsequent certificate of title; or

20 (4) A total vehicle loss has been repaired by the use
21 of a front or rear clip.

22 **Sec. 15. 29-A MRSA §701, sub-§4,** as enacted by PL 1993, c.
23 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

24 **4. New certificate.** Upon receipt of the certificate, the
25 application and fee, the Secretary of State shall issue a new
26 certificate containing the name and address of the new
27 lienholders and mail the certificate of title to the owner. The
28 Secretary of State shall also mail a certificate of lien,
29 certificate of title or certificate of salvage to the first
30 lienholder.

31 **Sec. 16. 29-A MRSA §1401, sub-§3,** as enacted by PL 1993, c.
32 683, Pt. A, §2 and as affected by Pt. B, §5, is amended to read:

33 **3. Signature.** A licensee's usual signature must appear in
34 the place designated. The signature must be the same as the name
35 displayed on the license. A license is not valid until endorsed
36 signed.

37 **Sec. 17. 29-A MRSA §1611, sub-§5,** as amended by PL 1995, c.
38 482, Pt. B, §20 and affected by §22, is further amended to read:

39

5. Coverage of insurance or bond. The required insurance policy or bond must adequately provide liability insurance for the collection of damages for which the holder of a permit or the owner of a motor vehicle or vehicles may be liable by reason of the operation of a motor vehicle or vehicles subject to this chapter. For ~~passenger--carriers--operating--for--hire~~ consumer rental vehicles, the Secretary of State may not approve the policy or bond unless it provides primary coverage for the operator as well as the owner.

Sec. 18. 29-A MRSA §1612, first ¶, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

The Secretary of State may not issue a dealer, transporter, loaner, motorcycle dealer or trailer dealer license or registration plates under chapter 9, subchapter I, except to equipment dealers or dealers who are only licensed to sell trailers with a gross vehicle weight rating of 3,000 pounds or less, and which do not request dealer registration plates in conjunction with the license, until the applicant has procured and filed with the Secretary of State a certificate showing that the applicant is covered by an automobile bodily injury and property damage liability insurance policy providing coverage as set forth in this Title with respect to the plates issued, approved by the Superintendent of Insurance, insuring against any legal liability in accordance with the terms of that policy for personal injury or death of any one person in the sum of \$20,000 \$100,000 and for any number of persons in the sum of \$40,000 \$300,000 and against property damage in the sum of \$10,000-~~which~~ \$300,000 when injury, death or damage may result from or have been caused by the operation of any vehicle bearing such registration plates. In lieu of ~~such~~ that insurance, the applicant may file with the Secretary of State a bond or bonds issued by a surety company authorized to do business in the State in the amount of at least \$20,000 \$100,000 on account of injury to or death of any one person and subject to such limits as respects injury to or death of one person; of at least \$40,000 \$300,000 on account of any one accident resulting in injury to or death of more than one person; and of at least \$10,000 \$300,000 for damage to property of others.

STATEMENT OF FACT

This bill eliminates language that limits the number of characters permissible on the University of Maine System registration. This language is misleading since plate design only allows for a maximum of 5 characters. This bill also makes the fees associated with the University of Maine System plates

consistent with the conservation registration plate fees.

2

This bill repeals language that allowed a registrant to retain an existing plate number for use on an antique vehicle.

4

This bill also repeals the requirement that persons with a disability have their name on the registration placard.

6

8

This bill also allows the Secretary of State to eliminate the certificate of lien document and allows the certificate of title to act as both prima facie evidence of ownership and documentation for lien purposes.

10

12

This bill also requires a salvage vehicle repaired by the use of a front or rear clip to be designated as a rebuilt salvage on the certificate of title.

14

16

This bill also requires a licensee's signature to be the same as the name displayed on the license.

18

20

This bill also corrects the reference as to who is responsible for insurance coverage and provides a definition of consumer rental vehicles.

22

24

This bill also increases the amount of liability insurance that dealers must carry to maintain dealer plates.

26

This bill also corrects the reference to the designation on a driver's license for special endorsement.

28