## MAINE STATE LEGISLATURE

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## 118th MAINE LEGISLATURE

## **FIRST REGULAR SESSION-1997**

Legislative Document

No. 109

H.P. 84

House of Representatives, January 9, 1997

An Act to Eliminate the Fine for Exceeding the Axle Weight Limit.

Reference to the Committee on Transportation suggested and ordered printed.

OSEPH W. MAYO, Clerk

Presented by Representative LANE of Enfield. Cosponsored by Representatives: AHEARNE of Madawaska, BRAGDON of Bangor, JOYCE of Biddeford, MACK of Standish.

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

- Sec. 1. 29-A MRSA §2360, sub-§1, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:
- 1. Violation of weight provision. A person who operates or causes operation of a motor vehicle in violation of a weight provision for any-axle-or-group-of-axles-er gross vehicle weight commits a traffic infraction.
- Sec. 2. 29-A MRSA §2360, sub-§2, amended by PL 1995, c. 546, \$1, is further amended to read:
- 2. Penalty. Notwithstanding section 101, subsection 85, a person who is guilty of excessive vehicle weight must be punished by a fine in accordance with this section.—When—both—gross—and axle—weight—limits—are—exceeded,—the—penalty—imposed—must—be—for the—violation—that—results—in—the—higher—fine, except that,—for—a violation—of—section—2355, a minimum fine must also be imposed for any other applicable violation of section 2355 in accordance with subsection 9.
- Sec. 3. 29-A MRSA §2360, sub-§3, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:
- 26 **3. Schedule of fines.** The fine must be based on the amount of gross vehicle weight of axile-weight in excess of the limits prescribed in sections 2352 to 2355.
- 30 This schedule is cumulative:

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34	Percent over allowed basic weight	Fine for each percent
36	1-10%	\$10 for each percent
38	11-20%	\$100 + \$15 for each percent over 10%
40		_
42	21-30%	\$250 + \$20 for each percent over 20%
44	31-40%	\$450 + \$25 for each percent over 30%
46		-
48	41-50%	\$700 + \$30 for each percent over 40%
50	more than 50%	\$1,000 + \$10 for each percent over 50%

2	Sec. 4. 29-A MRSA §2360, sub-§§5 and 6, as amended by PL 1995, c. 584, Pt. A, §5, are repealed.
4	Sec. 5. 29-A MRSA §2360, sub-§7, as affected by PL 1995, c.
6	65. Pt. A, $\S153$ and amended by Pt. C, $\S9$ and affected by $\S15$ , is repealed.
8	Sec. 6. 29-A MRSA §2360, sub-§§9 and 10, as enacted by PL 1993,
10	c. 683, Pt. A, §2 and affected by Pt. B, §5, are amended to read:
12	9. Minimum fine. For a vehicle using the Interstate Highway System, the minimum fine for a gross vehicle weight ex
14	arle-weight violation is \$20, which may not be waived, and cost of court. For a vehicle on all other highways, the minimum fine
16	for a gross vehicle weight er-axle-weight violation is \$10.
18	10. Application. Subsections Subsection 4 to $-7$ - do does not apply to travel on the Interstate Highway System.
20 22	Sec. 7. 29-A MRSA §2361, sub-§2, as amended by PL 1995, c. 65, Pt. A, $\S111$ and affected by $\S153$ and Pt. C, $\S15$ , is further
24	amended to read:
26	2. Penalty. Notwithstanding section 101, subsection 85, a fine equal to the applicable gross weight fine, increased by 50°
28	for the first offense, and by 100% for the 2nd or subsequent offense during a 12-month period, is imposed. In-the-event-that a-larger-fine-would-be-due-for-an-axle-violation-under-section
30	23607-that-larger-fine-must-be-imposed.
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34	SUMMARY
36	This bill eliminates the fine for exceeding the axle weight limit.
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