

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

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Legislative Document

No. 141

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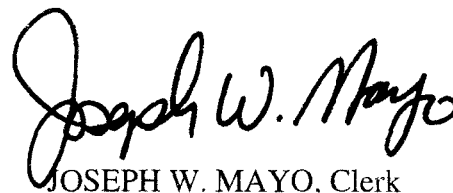
H.P. 110

House of Representatives, January 11, 1999

**An Act to Amend the Diesel-powered Motor Vehicle Emission Opacity Testing Program.**

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Reference to the Committee on Transportation suggested and ordered printed.

  
JOSEPH W. MAYO, Clerk

Presented by Representative GAGNE of Buckfield.  
Cosponsored by Senator PINGREE of Knox and  
Representatives: BOLDUC of Auburn, BULL of Freeport, COWGER of Hallowell, DUDLEY  
of Portland, McDONOUGH of Portland, MITCHELL of Vassalboro, VOLENIK of Brooklin.

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

2  
4       Sec. 1. 29-A MRSA §2114, sub-§7 is enacted to read:

6       7. Violations. A person who causes operation of a  
8       diesel-powered motor vehicle that is in violation of the  
10       program's emission opacity standards commits a traffic  
12       infraction. A forfeiture of \$100 may be adjudged for each  
14       violation. If repairs necessary to bring the vehicle into  
16       compliance are made prior to the hearing date and certification  
18       of those repairs, in a form satisfactory to the court, is  
20       submitted to the court, the forfeiture must be suspended by the  
22       court. A defendant may submit by mail the certification for  
24       repairs, but the certification must be received by the court  
      before the hearing date.

#### SUMMARY

20       This bill makes a violation of the diesel-powered motor  
22       vehicle emission opacity testing program a traffic infraction  
24       resulting in a \$100 fine. The bill requires the court to suspend  
      the fine if the defendant can certify to the court that the  
      required repairs were made prior to the hearing date.