

MAINE STATE LEGISLATURE

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L.D. 774

DATE: 4-7-99

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TRANSPORTATION

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 553, L.D. 774, Bill, "An Act to Make Moving a Mobile Home with Unpaid Taxes Subject to a \$250 Forfeiture"

Amend the bill by striking out the title and substituting the following:

'An Act to Amend the Laws Pertaining to the Movement of a Mobile Home Over a Public Way and the Movement of Objects Requiring an Overlimit Movement Permit'

Further amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 29-A MRSA §1002, sub-§9, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

9. Mobile homes. A mobile home may not be moved over a public way unless the operator of the vehicle hauling it has in possession a permit issued pursuant to section 2382 or a written certificate from the tax collector of the municipality in which the mobile home is situated on the day of the move, identifying the mobile home and stating that all applicable property taxes, including those for the current tax year, have been paid or that the mobile home is exempt from taxes. The tax year is the period from April 1st to March 31st. For the purposes of this subsection, taxes for the current tax year include taxes not yet committed. If the amount of these taxes can not then be determined, the amount must be presumed to be the same as the previous year's taxes until the current year's taxes are assessed. Notwithstanding Title 36, section 506, the tax

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collector may accept prepayment of these taxes and shall repay any amount paid in excess of that finally assessed, with interest on that amount as provided in Title 36, section 506-A. If a mobile home was moved into the municipality after April 1st so that no tax was assessed in the previous year and will be moved from the municipality before the commitment of the current year's taxes but after April 1st, the term "previous year's taxes" means taxes estimated by using the prior year's tax rate.

Sec. 2. 29-A MRSA §2382, sub-§11 is enacted to read:

11. Violation. A person who moves an object over the public way in violation of this section commits a traffic infraction.'

Further amend the bill by inserting at the end before the summary the following:

FISCAL NOTE

Requiring overlimit movement permits for the movement of a mobile home will result in insignificant increases of Highway Fund revenue from permit fees.

This bill may increase the number of traffic infractions filed in the court system. The additional workload and administrative costs associated with the minimal number of new cases filed can be absorbed within the budgeted resources of the Judicial Department. The collection of additional fines may also increase General Fund revenue by minor amounts.'

SUMMARY

This amendment replaces the bill and changes its title.

The amendment allows the operator of a vehicle hauling a mobile home on a public way to demonstrate payment of municipal property taxes with either an over-dimension moving permit issued by the Secretary of State or by a receipt from the municipality showing proof of payment of those taxes.

The amendment also clarifies that a person who moves an object over the public way in violation of the section of law requiring overlimit movement permits commits a traffic infraction.

The amendment also adds a fiscal note to the bill.