

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 1184

H.P. 850

House of Representatives, February 11, 1999

**An Act to Amend the Inspection Process for Motor Vehicles That Fail
Inspection.**

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative McKENNEY of Cumberland.
Cosponsored by Representatives: CARR of Lincoln, CLOUGH of Scarborough, DAIGLE of
Arundel, USHER of Westbrook.

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

Sec. 1. 29-A MRSA §§1757 and 1758, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, are amended to read:

**§1757. Standard for rejection for nonfunctioning equipment;
issue of defect report**

A motor vehicle must be rejected for violation of the inspection standard for equipment if any equipment described in section 1751, subsection 2 does not function sufficiently for the safety of the general public or is loose and not securely attached to the vehicle. The owner of the motor vehicle must be given a defect report that contains the following:

1. Name. The customer's name;

2. Vehicle registration number and vehicle identification number. The vehicle registration number and vehicle identification number of the vehicle failing inspection;

3. Items. All items that fail inspection;

4. Repair procedures. Proposed repair procedures to correct the defect; and

5. Estimate. An estimate, at the discretion of the station, of the cost to correct the defect.

§1758. Issuance of sticker; placement on vehicle

1. Windshield placement. If a motor vehicle meets the inspection standard, an official inspection sticker must be placed in the lower left-hand corner of the windshield or in the center of the windshield in back of the rearview mirror. If the motor vehicle does not meet the inspection standard, a failure sticker containing the date of issue, the date of expiration, the certified mechanic's signature and the inspection station's identification number must be placed in the lower left-hand corner of the windshield or in the center of the windshield in back of the rearview mirror.

2. Without windshield. If the vehicle is not normally equipped with a windshield, the certificate of inspection or failure sticker must be kept with the registration certificate of the vehicle.

Sec. 2. 29-A MRSA §1759, sub-§4 is enacted to read:

2 4. Failure sticker. The owner of a motor vehicle issued a
3 failure sticker pursuant to section 1758 has one month from the
4 date of issue of the sticker within which to have the vehicle
5 reinspected.

6 Sec. 3. 29-A MRSA §1766, as amended by PL 1997, c. 786, §6
7 and affected by §14, is further amended to read:

8 **§1766. Inspection and failure stickers and inspection materials**

9 1. Stickers and materials remain property of State.
10 Inspection and failure stickers and materials issued to
11 inspection stations by the Chief of the State Police remain the
12 property of the State.

13 2. Stock of stickers. The Chief of the State Police shall
14 make available to inspection stations a sufficient quantity of
15 inspection and failure stickers. An inspection station must
16 shall stock a sufficient number of inspection and failure
17 stickers to meet all demands. The inspection and failure
18 stickers must be made of a material and quality of adhesive
19 prescribed by the Chief of the State Police. Failure stickers
20 must be red and contain a notice that repairs to the vehicle are
21 necessary and that the owner of the vehicle has one month to
22 effect these repairs. The failure sticker must contain space for
23 the date of issue and expiration, the inspection mechanic's
24 signature and the identification number of the issuing inspection
25 station.

26 3. Fee. Stickers Inspection stickers are furnished by the
27 Chief of the State Police at \$1.50 each. Failure stickers are
28 furnished by the Chief of the State Police at no charge.

29 4. Statement of intent to hire a certified mechanic. If a
30 station is disqualified by the loss of a certified mechanic, the
31 owner shall, within 5 working days, return all stickers to the
32 Chief of the State Police.

33 The owner may file a statement of intent to hire a certified
34 inspection mechanic within 14 working days, in which case the
35 Chief of the State Police shall hold the returned stickers for
36 the licensee.

37 If a statement of intent is not filed, returned stickers may be
38 reissued.

39 5. Return or refund of unused stickers. Within 20 working
40 days of the end of a calendar year or the suspension, revocation
41 or termination of an inspection license, unused or expired
42 inspection stickers must be returned to the Chief of the State
43 Police and the purchase price refunded or exchanged for current

year inspection stickers. ~~Refunds or exchanges may only be made for full sheets of unused stickers.~~

If an inspection station has partially used sheets of inspection stickers, the inspection station may use these inspection stickers on vehicles in the first January following the expiration of the inspection sticker, as long as the place indicating the month of December is hole-punched and entered; or the station may return the partially used sheet for a refund.

6. Return of inspection materials. Upon suspension, revocation or termination of an inspection license, the station owner or manager shall return all inspection materials to the Chief of the State Police, who shall issue a receipt for the returned materials.

7. Defect reporting forms. The Chief of the State Police shall issue to each inspection station 50 defect reporting forms. Additional forms may be printed by each inspection station at the expense of the inspection station.

Sec. 4. 29-A MRSA §1768, sub-§8 is enacted to read:

8. Operation of vehicle after expiration of failure sticker. An owner or operator of a vehicle that has failed inspection commits a traffic infraction if that person operates that vehicle or permits that vehicle to be operated without having the vehicle inspected within one month of the issue of a failure sticker pursuant to section 1758.

SUMMARY

This bill requires that for a motor vehicle that does not pass inspection, the owner be given a defect report and the vehicle have placed on it a failure sticker. The owner has one month to repair the defect that caused the vehicle to fail inspection. It also provides for the use of, or a refund for, a partially used sheet of inspection stickers.