

MAINE STATE LEGISLATURE

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DATE: *April 30, 2001*

(Filing No. S-*104*)

BUSINESS AND ECONOMIC DEVELOPMENT

Reported by:

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**STATE OF MAINE
SENATE
120TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "*A*" to S.P. 247, L.D. 815, Bill, "An Act to Foster the Survival of Maine Small Businesses in Snowmobile and ATV Sales"

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

Sec. 1. 12 MRSA §7821, sub-§2-A is enacted to read:

2-A. New snowmobile. "New snowmobile" means a snowmobile that has not been registered in this State or any other state or for which sales tax has not been paid in this State or any other state.

Sec. 2. 12 MRSA §7827, sub-§28 is enacted to read:

28. Unlawful sale of new snowmobile. A person is guilty of an unlawful sale of a new snowmobile if that person sells more than 2 new snowmobiles per year and does not possess a franchise agreement or contract with a snowmobile manufacturer and a dealer's license.

Sec. 3. 12 MRSA §7851, sub-§2-C is enacted to read:

2-C. New all-terrain vehicle. "New all-terrain vehicle" means an all-terrain vehicle that has not been registered in this State or any other state or for which sales tax has not been paid in this State or any other state.

Sec. 4. 12 MRSA §7857, sub-§26 is enacted to read:

2 26. Unlawful sale of new all-terrain vehicle. A person is
3 guilty of an unlawful sale of a new all-terrain vehicle if that
4 person sells more than 2 new all-terrain vehicles per year and
5 does not possess a franchise agreement or contract with an ATV
6 manufacturer and a dealer's license.

7 Sec. 5.12 MRSA §7901, sub-§24 is enacted to read:

8
9 24. Unlawful sale of a new snowmobile or new all-terrain
10 vehicle. A violation of section 7827, subsection 28 or section
11 7857, subsection 26 is a civil violation for which a forfeiture
12 of not less than \$500 and a penalty of not more than \$5,000 may
13 be adjudged.'

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

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18 **FISCAL NOTE**

19
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21 The additional workload and administrative costs associated
22 with the minimal number of new cases filed in the court system
23 can be absorbed within the budgeted resources of the Judicial
24 Department. The collection of additional fines may increase
25 General Fund revenue by minor amounts.'

26
27
28 **SUMMARY**

29 This amendment replaces the bill. The amendment provides
30 definitions for both "new snowmobile" and "new all-terrain
31 vehicle." It also makes it illegal for a person who does not
32 have both a franchise agreement with a manufacturer and a
33 dealer's license to sell more than 2 new snowmobiles or
34 all-terrain vehicles per year. The amendment also establishes
35 that an unlawful sale of a snowmobile or ATV may result in a
36 civil forfeiture of not less than \$500 and a penalty of not more
37 than \$5,000.
38