

MAINE STATE LEGISLATURE

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TRANSPORTATION

Reported by:

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STATE OF MAINE
SENATE
120TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 431, L.D. 1411, Bill, "An Act to Protect Highway Travelers and Maine's Highway System by Increasing Fines on Excessively Loaded Trucks"

Amend the bill by inserting after section 7 the following:

'Sec. 8. 29-A MRSA §2360, sub-§§16 and 17 are enacted to read:

16. Exception to fine schedule for special commodities tandem axle and tri-axle. Notwithstanding subsections 3 and 5, the following fines are imposed.

A. For a 4-axle single unit vehicle hauling special commodities other than forest products with a tri-axle weight for which a Violation Summons and Complaint may be issued, but which is less than 58,200 pounds, the fine is \$150.

B. For a 3-axle single unit vehicle hauling special commodities other than forest products with a tandem weight for which a Violation Summons and Complaint may be issued, but which is less than 49,300 pounds, the fine is \$315.

17. Exception to fine schedule for forest products tri-axle. Notwithstanding subsections 3 and 5, for a 4-axle single unit vehicle hauling forest products with a tri-axle weight for which a Violation Summons and Complaint may be issued, but which is less than 66,500 pounds, the fine is \$220.'

Further amend the bill in section 9 by striking out all of that part designated "§2361-A." and inserting in its place the following:

§2361-A. Aggravated gross weight violations

The operation of a vehicle exceeding the maximum allowable gross vehicle weight by 20% or more is an aggravated gross weight violation. The penalty for an aggravated gross weight violation is the fine established in section 2360, subsection 3.

Further amend the bill by inserting after section 11 the following:

Sec. 12. 29-A MRSA §2390, sub-§1, ¶J, as amended by PL 1999, c. 753, §7, is further amended by repealing subparagraph (7).

Sec. 13. Report. The Commissioner of Transportation, in cooperation with the Commissioner of Public Safety, shall report to the Joint Standing Committee on Transportation by January 2, 2002, including recommended legislation, on holding shippers and brokers of transported cargo responsible for violations of the vehicle weight laws of this State. The report must include an examination of the issues involved and recommendations on the administrative and statutory enforcement mechanisms that would be needed to accomplish the additional responsibility. The Joint Standing Committee on Transportation may report out legislation to the Second Regular Session of the 120th Legislature on the subject matter of this report.

Sec. 14. Allocation. The following funds are allocated from the Highway Fund to carry out the purposes of this Act.

	2001-02	2002-03
SECRETARY OF STATE, DEPARTMENT OF THE Bureau of Motor Vehicles		
Positions	(1.000)	(1.000)
Personal Services	\$13,833	\$33,199
All Other	5,962	834
Allocates funds for one additional Clerk Typist II position and operating costs necessary to process additional truck permit fees.		

2 **DEPARTMENT OF THE SECRETARY**
3 **OF STATE**

4 **TOTAL** \$19,795 \$34,033

6 **Sec. 15. Effective date.** Except for that section of this Act
7 that directs the Commissioner of Transportation to report to the
8 Joint Standing Committee on Transportation, this Act takes effect
9 January 31, 2002.'

10
11 Further amend the bill by relettering or renumbering any
12 nonconsecutive Part letter or section number to read
13 consecutively.

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

18
19 **FISCAL NOTE**

20
21 **2001-02 2002-03**

22 **APPROPRIATIONS/ALLOCATIONS**

23
24 Highway Fund \$19,795 \$34,033

25 **REVENUES**

26
27 Highway Fund \$621,929 \$1,110,692

28
29 Increasing fines for certain overloaded trucks will increase
30 Highway Fund revenue collected by the Department of Public Safety
31 by \$580,000 and \$1,000,000 in fiscal years 2001-02 and 2002-03,
32 respectively.

33
34 The repeal of a certain truck weight limit provision will
35 increase Highway Fund revenue collected by the Bureau of Motor
36 Vehicles within the Department of the Secretary of State from
37 permit fees by \$41,929 and \$110,692 in fiscal years 2001-02 and
38 2002-03, respectively.

39
40 This bill includes Highway Fund allocations of \$19,795 and
41 \$34,033 in fiscal years 2001-02 and 2002-03, respectively, for
42 the Bureau of Motor Vehicles to provide funding for one
43 additional Clerk Typist II position and operating costs necessary
44 to process additional truck weight permits.

45
46 The Department of Transportation and the Department of
47 Public Safety will incur some minor additional costs to submit a

required report to the Legislature. These costs can be absorbed within the departments' existing budgeted resources.

The additional costs associated with increasing certain fines can be absorbed by the Judicial Department utilizing existing budgeted resources.'

SUMMARY

This amendment reduces certain fines for axle weight violations applicable to vehicles hauling special commodities.

It removes certain repeat violator provisions from the bill.

The amendment repeals the 80,000 pound gross vehicle weight limit provision for vehicles hauling 53-foot semitrailers.

It requires the Department of Transportation to report to the Legislature on recommended legislation to hold freight shippers and brokers responsible for overweight trucks.

The amendment establishes an effective date of January 31, 2002 for the bill except that it provides that that section of the bill that directs the Commissioner of Transportation to report to the Joint Standing Committee on Transportation takes effect 90 days after adjournment of the First Regular Session of the 120th Legislature.

It also adds an allocation section and a fiscal note to the bill.