MAINE STATE LEGISLATURE

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%	L.D. 1863
2	DATE: $2/15/02$ (Filing No. H-806)
4	
6	TRANSPORTATION
8	
10	Reproduced and distributed under the direction of the Clerk of the House.
12	STATE OF MAINE
14	HOUSE OF REPRESENTATIVES 120TH LEGISLATURE
16	SECOND REGULAR SESSION
18	COMMITTEE AMENDMENT " A " to H.P. 1419, L.D. 1863, Bill, "An
20	COMMITTEE AMENDMENT "'/" to H.P. 1419, L.D. 1863, Bill, "An Act to Clarify the Overweight Fine Violation for Trucks Carrying Certain Designated Commodities and Registered for 100,000 Pounds"
22	location of the title and before the
24	Amend the bill by inserting after the title and before the enacting clause the following:
26	Emergency preamble. Whereas, Acts of the Legislature do not
28	become effective until 90 days after adjournment unless enacted as emergencies; and
30	Whereas, legislative action is immediately necessary in order to clarify truck weight laws effective January 31, 2002; and
32	
34	Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately
36	necessary for the preservation of the public peace, health and safety; now, therefore,'
38	•
40	Further amend the bill by striking out everything after the senacting clause and before the summary and inserting in its place

42

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the following:

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'Sec. 1. 29-A MRSA §2357, sub-§7, as enacted by PL 1993, c.

683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

COMMITTEE AMENDMENT "A" to H.P. 1419, L.D. 1863

2	7. Penalty calculation; fine base and fine schedule. When
	a weight tolerance established in this section is exceeded, the
4	difference between the actual weight and the fine base for the
	tolerance must be used as the basis for determining the
6	percentage of overload in-section-2360 in the appropriate fine
	schedule and the tolerance must be disregarded. The-fine-base
8	for-tolerances-described-in-subsection-2-is-the-appropriate-limit
	in-section-2353-and-90,000-pounds-is-the-appropriate-limit-for
10	the-6-axle-combination-vehicle-described-in-subsection-4. For a
	6-axle combination vehicle described in subsection 4 that is
12	registered for 100,000 pounds, the fine base for the gross
	vehicle weight is 100,000 pounds and the fine schedule in section
14	2354 applies. For a 6-axle combination vehicle described in
	subsection 4 that is registered for less than 100,000 pounds, the
16	fine base for gross vehicle weight is 90,000 pounds and the fine
	schedule in section 2360 applies. For all other vehicles
18	operating under the gross vehicle weight tolerances in subsection
	2, and for all vehicles operating under the axle unit weight
20	tolerances in subsection 2, the fine base is the appropriate
	limit in section 2353 and the fine schedule in section 2360
22	applies.
24	Emergency clause. In view of the emergency cited in the
-	preamble, this Act takes effect when approved.'
26	producto, direction dance approved
	Further amend the bill by inserting at the end before the
28	summary the following:
20	Summery care rearrange
30	
30	FISCAL NOTE
32	
<i>32</i>	The Judicial Department may realize some minor reductions in
2.4	General Fund revenue due to an insignificant decrease in fines.'
34	General rund revenue due co an insignificant decrease in lines.
26	
36	SUMMARY
38	BUMMARI
30	This amendment replaces the bill, adds an emergency preamble
40	and emergency clause and clarifies the appropriate fine bases and
40	fine schedules that apply for vehicle classes carrying special
4.3	
42	commodities. The amendment also adds a fiscal note to the bill.

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COMMITTEE AMENDMENT