

# MAINE STATE LEGISLATURE

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# 120th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2002

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Legislative Document

No. 2018

H.P. 1485

House of Representatives, December 26, 2001

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### **An Act to Amend the Motor Vehicle Laws.**

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Submitted by the Department of Public Safety pursuant to Joint Rule 204.

Received by the Clerk of the House on December 19, 2001. Referred to the Committee on Transportation pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

*Millicent M. MacFarland*

MILLICENT M. MacFARLAND, Clerk

Presented by Representative FISHER of Brewer.

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

**Sec. 1. 29-A MRSA §1251, sub-§1,** as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

**1. Violation.** --A- Except as provided in section 510, subsection 1, a person commits an offense of operating a motor vehicle without a license if that person operates a motor vehicle on a public way or parking area without being licensed or in violation of a condition or restriction on the license. For a resident, that license must be issued by this State.

**Sec. 2. 29-A MRSA §1251, sub-§1-A,** as repealed and replaced by PL 1999, c. 771, Pt. C, §9 and affected by Pt. D, §§1 and 2, is amended to read:

**1-A. Residents required to obtain license.** Within 30 days of becoming a resident of this State, a person shall apply to obtain a license in accordance with section 1301. -A- Except as provided in section 510, subsection 1, a person who fails to comply with the requirement of this subsection and operates a motor vehicle on a public way or parking area commits:

A. A traffic infraction if the person has been a resident for less than 90 days; or

B. A Class E crime if the person has been a resident for at least 90 days.

**Sec. 3. 29-A MRSA §2358, sub-§2, ¶¶B and C,** as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, are amended to read:

B. Bearing the words "State Police Truck Check - All Trucks Stop"; and

C. Displaying flashing yellow lights, which must operate when the weighing station is open; and

**Sec. 4. 29-A MRSA §2358, sub-§2, ¶D** is enacted to read:

D. Directing operators of vehicles subject to the GVW restrictions to the weighing point if the weighing point is located on a way that intersects the way where the sign is located.

**Sec. 5. 29-A MRSA §2396, sub-§5** is enacted to read:

**5. Ice and compacted snow on vehicles.** A person commits a traffic infraction who operates a vehicle on which ice or

2 compacted snow has accumulated on a public way and any portion of  
3 the ice or compacted snow falls from the vehicle causing personal  
4 injury or property damage.

6 **Sec. 6. 29-A MRSA §2401, sub-§2,** as enacted by PL 1993, c.  
683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

8 **2. Blood-alcohol level.** "Blood-alcohol level" means a  
9 stated percentage by weight of alcohol in the blood or breath,  
10 based on grams of alcohol per 100 milliliters of blood or grams  
11 of alcohol per 2100 liters of breath.

## 14 SUMMARY

16 The bill amends the motor vehicle laws as follows.

18 1. It corrects a conflict between 2 sections to clarify  
19 that a person operating a tractor or trailer used solely for  
20 farming purposes does not need an operator's license on a public  
21 way between farm lots.

22 2. It clarifies existing language regarding weighing points  
23 that a sign directing a commercial motor vehicle operator to stop  
24 for weighing can be placed on a public way intersecting the way  
25 where the weighing point is located.

28 3. It creates a traffic infraction if a motor vehicle  
29 operator fails to remove compacted snow and ice from a vehicle  
30 and that compacted snow and ice falls from the vehicle causing  
31 personal injury or property damage.

32 4. It amends the definition of "blood-alcohol level" to  
33 include the equivalent measurement of alcohol in breath.