

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 322

H.P. 265

House of Representatives, January 28, 2003

**An Act To Set Limits on Fines That May Be Assessed for
Nonhabitual Offenders under Maine's Truck Weight Laws**

Reference to the Committee on Transportation suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative MILLS of Cornville.

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

4 **Sec. 1. 29-A MRSA §2354, sub-§2**, as amended by PL 2001, c.
261, §1 and affected by §16, is further amended to read:

6 **2. 100,000 pounds.** One hundred thousand pounds, as long as
the vehicle meets these requirements:

8
10 A. The distance between the extreme axles, excluding the
steering axle, is not less than 36 feet as measured to the
12 nearest foot. The maximum gross vehicle weight permitted is
reduced by 2,000 pounds for each foot the distance is less
14 than 36 feet between the extreme axles, excluding the
steering axle, measured to the nearest foot;

16 B. The minimum distance between the steering axle and the
first axle of the tandem-axle group is at least 10 feet as
18 measured to the nearest foot; and

20 C. The maximum weight on the:

22 (1) Tandem axle does not exceed 41,000 pounds; and

24 (2) Tri-axle does not exceed 50,000 pounds.

26 Nothing contained in this subsection applies to vehicles using
the Interstate Highway System as defined in the Federal Aid
28 Highway Act of 1956.

30 Except as provided in section 2360, subsections 4 and 5 and 18,
for vehicles operating under this subsection, gross vehicle
32 weight violations are fined in accordance with the following
schedule:

34

36 Percent over 100,000 pounds	Fine for each percent
38 1-10%	\$100 + \$20 for each 40 percent over 1%
42 11-20%	\$280 + \$125 for each 44 percent over 10%
46 21-30%	\$1,530 + \$135 for each 48 percent over 20%
50 31-40%	\$2,880 + \$150

2		for each
		percent over 30%
4	41% or more	\$4,380 +
6		\$175 for each
		percent over 40%

8 For all vehicles manufactured, modified or retrofitted with
 10 liftable or variable load suspension axles after October 30,
 1991, liftable or variable load suspension axles are permitted
 12 only under the following conditions: only one liftable or
 14 variable load axle may be present on the truck tractor and only
 one liftable or variable load axle may be present on the
 16 semitrailer; liftable or variable load axles must be located on
 the vehicle so that they are legally part of the tandem axle
 18 group or tri-axle group as appropriate; and the axle weight
 rating of liftable or variable load axles must conform to the
 expected loading of the suspension and must be 20,000 pounds or
 more.

20 **Sec. 2. 29-A MRSA §2360, sub-§18** is enacted to read:

22 **18. Exception to fine schedule for owners or operators with**
 24 **no overweight violation for 3 years.** Notwithstanding the
 26 provisions of this section, for a truck owner or operator who has
 28 not been convicted of any overweight violations during the
 30 preceding 3 years, the maximum fine for an overweight violation
 32 may not exceed \$1 per pound for violation of a weight restriction
on the total load, nor 50¢ per pound for violation of a weight
restriction on any axle. For purpose of this subsection, the
calculation of overweight pounds must take into account and give
credit for all allowable tolerances.

34 **SUMMARY**

36 This bill sets limits on the fines that may be assessed for
 38 owners and operators who have not been convicted of any
 overweight violation during the preceding 3 years.