

MAINE STATE LEGISLATURE

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M
R. S.

L.D. 393

DATE: 5-13-03

(Filing No. H-357)

TRANSPORTATION

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 313, L.D. 393, Bill, "An Act Authorizing the Operation of Low-speed Vehicles on Certain Roads"

Amend the bill by striking out all of section 1 and inserting in its place the following:

Sec. 1. 29-A MRSA §101, sub-§32-A, as enacted by PL 1999, c. 660, §1, is amended to read:

32-A. Low-speed vehicle. "Low-speed vehicle" means a 4-wheeled automobile that is able to attain a speed of at least 20 miles per hour but not more than 25 miles per hour and does not exceed 1800 pounds in unloaded weight. "Low-speed vehicle" does not include an ATV as defined in Title 12, section 7851. A low-speed vehicle must be originally manufactured and maintained in accordance with the Federal Motor Vehicle Safety Standards as a low-speed vehicle pursuant to 49 Code of Federal Regulations, Section 571.500 (1998), as amended.

Sec. 2. 29-A MRSA §102, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

§102. Public way use authorized

Any vehicle may be operated on a public way unless prohibited or restricted by this Title, by special law or municipal ordinance, or by rule of the department.

COMMITTEE AMENDMENT

6.015

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1. Operation of low-speed vehicles; beginning June 1, 2003. Notwithstanding subsection 2, beginning on June 1, 2003, the registration and operation of low-speed vehicles in accordance with section 501, subsection 11 and section 2089 are authorized for use on islands that have public aid roads and do not have motor vehicle access by bridge or causeway and on public roads in:

- A. Bar Harbor;
- B. Biddeford, including Biddeford Pool;
- C. Boothbay Harbor;
- D. Brunswick;
- E. Cape Elizabeth;
- F. Damariscotta;
- G. Kennebunk;
- H. Kennebunkport;
- I. Kittery, including Kittery Point and the Kittery shipyard;
- J. Lewiston;
- K. Mt. Desert;
- L. Ogunquit;
- M. Old Orchard Beach, including Ocean Park;
- N. Portland;
- O. Saco;
- P. South Portland;
- Q. Southwest Harbor;
- R. Tremont;
- S. Waterville;
- T. Wells;
- U. Wiscasset; and

2 V. York, including York Beach and York Harbor.

4 This subsection is repealed on September 1, 2003.

6 2. Operation of low-speed vehicles; beginning September 1,
8 2003. The registration and operation of low-speed vehicles in
10 accordance with section 501, subsection 11 and section 2089 are
12 authorized beginning September 1, 2003. A municipality may
prohibit the use of low-speed vehicles by municipal ordinance or
restrict the use of low-speed vehicles in accordance with
section 2089 subsection 2.'

14 Further amend the bill in section 2 by striking out all of
16 subsection 11 (page 2, lines 7 to 12 in L.D.) and inserting in
its place the following:

18 '11. Low-speed vehicles. The Secretary of State may issue
20 a registration for a low-speed vehicle upon application and
22 payment of an annual fee of \$25. The registrant must provide a
24 certificate of title required by section 651, proof of financial
26 responsibility required by section 1601 and evidence of payment
of the excise tax required by Title 36, section 1482. A low-speed
vehicle registered under this section is issued a registration
plate with the word "low-speed" instead of "Vacationland." The
Secretary of State may issue a facsimile plate for a 60-day
period.'

28 Further amend the bill by inserting after section 2 the
30 following:

32 'Sec. 3. 29-A MRSA §1301, sub-§8 is enacted to read:

34 8. Vehicle used for examination. An applicant for a
36 license may not use a low-speed vehicle to demonstrate ability to
operate a motor vehicle as required under subsection 4.'

38 Further amend the bill in section 5 in subsection 10 in the
40 2nd line (page 2, line 32 in L.D.) by inserting after the
following: "subsection 11," the following: 'A low-speed vehicle
must be equipped in accordance with section 1925.'

42 Further amend the bill by striking out all of sections 6 and
44 7 and inserting in their place the following:

46 'Sec. 6. 29-A MRSA §1925 is enacted to read:

48 §1925. Equipment requirements for low-speed vehicles

AWS

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1. Equipment required. A low-speed vehicle registered pursuant to section 501, subsection 11 must be equipped with:

- A. Brakes for each wheel;
- B. Headlights that comply with section 1904;
- C. An odometer;
- D. One exterior rearview mirror;
- E. One interior rearview mirror;
- F. A parking brake;
- G. Rear reflectors;
- H. A safety glass windshield;
- I. A speedometer;
- J. Stop lamps;
- K. Rear lights that comply with section 1905;
- L. Seat belts and child restraint systems that comply with section 2081;
- M. Turn signal lamps;
- N. Windshield wipers; and
- O. A vehicle identification number.

2. Working condition. Equipment required in subsection 1 must be in good working condition.

Sec. 7. 29-A MRSA §2089 is enacted to read:

§2089. Operation of low-speed vehicles

A person operating a low-speed vehicle on a public way shall comply with the provisions of this chapter as they apply to the operator of an automobile and with this section.

1. License required. A person operating a low-speed vehicle must possess a valid Class A, Class B or Class C driver's license pursuant to section 1252.

2. Road restrictions. A low-speed vehicle may be operated

5. of 8

COMMITTEE AMENDMENT "A" to H.P. 313, L.D. 393

2 only on a road or street where the posted speed limit is 35 miles
3 per hour or less. A low-speed vehicle may cross, at an
4 intersection, a road or street with a posted speed limit of more
5 than 35 miles per hour. The department may prohibit the operation
6 of a low-speed vehicle on any highway or segment of highway under
7 its jurisdiction if it determines that the prohibition is
8 necessary in the interest of public safety. A municipality may
9 prohibit the operation of a low-speed vehicle on any road under
10 its jurisdiction if it determines that the prohibition is
11 necessary in the interest of public safety.

12 **3. Violation.** A person who operates a low-speed vehicle in
13 violation of subsection 2 commits a traffic infraction.

14 **4. Rulemaking.** The Secretary of State, in consultation
15 with the Commissioner of Transportation and the Commissioner of
16 Public Safety, may adopt rules in accordance with Title 5,
17 chapter 375 to implement this section, monitor the registration
18 and use of low-speed vehicles and provide for the safe operation
19 of low-speed vehicles.

22 **Sec. 8. Appropriations and allocations.** The following
23 appropriations and allocations are made.

24 **SECRETARY OF STATE, DEPARTMENT OF THE**

25 **Administration - Motor Vehicles 0077**

26 Initiative: Allocates funds on a one-time basis for the costs of
27 revising the Bureau of Motor Vehicles' automated system to
28 accommodate the registration of low-speed vehicles.

29 Highway Fund	2003-04	2004-05
30 All Other	\$5,000	\$0
31 Highway Fund Total	<u>\$5,000</u>	<u>\$0'</u>

32 Further amend the bill by relettering or renumbering any
33 nonconsecutive Part letter or section number to read
34 consecutively.

42 **SUMMARY**

43 This amendment does the following:

- 44 1. Allows a low-speed vehicle to continue to be registered
- 45 as an island vehicle for \$4;

2. Establishes a registration fee of \$25 for low-speed vehicles, which is equal to that of automobiles, and specifies that the registration plate must bear the word "low-speed";

3. Prohibits a person from using a low-speed vehicle to take a driver's examination;

4. Specifies that headlights, rear lights and seat belts must comply with state standards for automobiles and specifies that required equipment must be in good working condition;

5. Allows a municipality or the Department of Transportation to prohibit the use of low-speed vehicles on roads when such restriction is necessary for safety;

6. Authorizes the Secretary of State to adopt rules relating to the registration and operation of low-speed vehicles;

7. Specifies that an operator of a low-speed vehicle must have a Class A, Class B or Class C driver's license;

8. Authorizes the registration and use of low-speed vehicles in certain municipalities and islands beginning on June 1, 2003. For all other jurisdictions, the registration and use of these vehicles is authorized beginning September 1, 2003. Language also clarifies that a municipality may prohibit use of low-speed vehicles by municipal ordinance; and

9. Adds an allocation from the Highway Fund.

FISCAL NOTE REQUIRED
(See attached)

**121st Maine Legislature
Office of Fiscal and Program Review**



**LD 393
An Act Authorizing the Operation of Low-speed Vehicles on Certain
Roads**

**LR 0883(02)
Fiscal Note for Bill as Amended by Committee Amendment " "
Committee: Transportation
Fiscal Note Required: Yes
Majority Report**

Fiscal Note

	2003-04	2004-05	Projections 2005-06	Projections 2006-07
Net Cost (Savings):				
Highway Fund	\$2,696	(\$1,776)	(\$1,776)	(\$1,776)
Appropriations/Allocations				
Highway Fund	\$5,000	\$0	\$0	\$0
Revenue				
Highway Fund	\$2,304	\$1,776	\$1,776	\$1,776

Fiscal Detail and Notes

The Bureau of Motor Vehicles within the Department of the Secretary of State will incur one-time additional Highway Fund costs of \$5,000 in fiscal year 2003-04 for the expense of adjusting the bureau's automated system. In addition, the bureau will collect additional revenues for the Highway Fund from registration fees; the estimated amounts are \$2,304 and \$1,776 in fiscal years 2003-04 and 2004-05, respectively.