

# MAINE STATE LEGISLATURE

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# 121st MAINE LEGISLATURE

## SECOND REGULAR SESSION-2004

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Legislative Document

No. 1700

S.P. 632

In Senate, December 17, 2003

### An Act To Amend the Motor Vehicle Laws

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Submitted by the Secretary of State pursuant to Joint Rule 204.

Received by the Secretary of the Senate on December 16, 2003. Referred to the Committee on Transportation pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator HATCH of Somerset.  
Cosponsored by Representative USHER of Westbrook.

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

2           **Sec. 1. 29-A MRSA §504, sub-§1, ¶Y-1** is enacted to read:

4           Y-1. For gross weight from 75,001 to 76,000 pounds, the fee  
6           is \$833.

8           This paragraph is repealed December 31, 2004.

10          **Sec. 2. 29-A MRSA §504, sub-§1, ¶Z,** as amended by PL 1999, c.  
12          790, Pt. C, §8 and affected by §19, is further amended to read:

14          Z. For gross weight from ~~75,001~~ 76,001 to 78,000 pounds,  
the fee is \$857.

16          This paragraph is repealed December 31, 2004.

18          **Sec. 3. 29-A MRSA §504, sub-§1, ¶Z-1** is enacted to read:

20          Z-1. For gross weight from 75,001 to 78,000 pounds, the fee  
22          is \$857.

24          This paragraph takes effect December 31, 2004.

26          **Sec. 4. 29-A MRSA §523, sub-§3,** as repealed and replaced by PL  
2001, c. 671, §10, is amended to read:

28           **3. Special veterans registration plates.** The Secretary of  
30           State, on application and evidence of payment of the excise tax  
32           required by Title 36, section 1482 and the registration fee  
34           required by section 501, shall issue a registration certificate  
36           and a set of special veterans registration plates to be used in  
lieu of regular registration plates for a vehicle with a  
38           registered gross weight of not more than 9,000 pounds to any  
person who has served in the United States Armed Forces and who  
has been honorably discharged. If a veteran is the primary  
driver of 3 vehicles, the Secretary of State may issue in  
accordance with this section a set of special veterans  
registration plates for each vehicle.

40           Each application must be accompanied by the applicant's Armed  
42           Forces Report of Transfer or Discharge, DD Form 214, or  
44           certification from the United States Veterans Administration or  
the appropriate branch of the United States Armed Forces  
46           verifying the applicant's military service and honorable  
discharge.

48           All surplus revenue collected for issuance of the special  
50           registration plates is retained by the Secretary of State to  
maintain and support this program.

2 The Secretary of State may issue a set of special veterans  
4 registration plates in the name of a company if the company is  
6 owned solely by a veteran who qualifies for a veteran plate under  
this section. The qualifying veteran must be the primary driver  
of the company vehicle.

8 The surviving spouse of a special veteran plate recipient issued  
10 plates in accordance with this subsection may retain and display  
the special veteran plates as long as the surviving spouse  
12 remains unmarried. Upon remarriage, the surviving spouse may not  
use the special veteran plates on a motor vehicle, but may retain  
14 them as a keepsake. Upon the death of the surviving spouse, the  
family may retain the special veteran plates, but may not use  
16 them on a motor vehicle.

The Secretary of State may issue a special disability  
18 registration plate for veterans in accordance with section 521,  
subsections 1, 5, 7 and 9. The special disability registration  
20 plate for veterans must bear the International Symbol of Access.

22 **Sec. 5. 29-A MRSA §533-A, sub-§3, ¶A,** as amended by PL 2001,  
c. 361, §15, is further amended to read:

24 A. Between July 1st and October 31st, the Secretary of  
26 State shall disburse to a participating municipality a sum  
equal to the difference in the amount of excise tax that  
28 would have been collected by that municipality in the prior  
fiscal year on each commercial motor vehicle under Title 36,  
30 section 1482, subsection 1, paragraph C, subparagraph (3)  
using the manufacturer's suggested retail price from the  
32 amount of that excise tax actually collected by that  
municipality in the prior fiscal year based on the actual  
34 purchase price. The reimbursement is limited to vehicles  
less than 6 years old, determined by the model year. The  
36 Secretary of State shall provide supporting documentation to  
a municipality regarding the disbursement that municipality  
38 receives under this section.

40 **Sec. 6. 36 MRSA §1482, sub-§1, ¶C,** as amended by PL 2001, c.  
671, §32, is further amended to read:

42 C. For the privilege of operating a motor vehicle or camper  
44 trailer on the public ways, each motor vehicle, other than a  
stock race car, or each camper trailer to be so operated is  
46 subject to excise tax as follows, except as specified in  
subparagraph (3): a sum equal to 24 mills on each dollar of  
48 the maker's list price for the first or current year of  
model, 17 1/2 mills for the 2nd year, 13 1/2 mills for the  
50 3rd year, 10 mills for the 4th year, 6 1/2 mills for the 5th

2 year and 4 mills for the 6th and succeeding years. The  
3 minimum tax is \$5 for a motor vehicle other than a bicycle  
4 with motor attached, \$2.50 for a bicycle with motor  
5 attached, \$15 for a camper trailer other than a tent trailer  
6 and \$5 for a tent trailer. The excise tax on a stock race  
7 car is \$5.

8 (1) On new registrations of automobiles, trucks and  
9 truck tractors, the excise tax payment must be made  
10 prior to registration and is for a one-year period from  
11 the date of registration.

12 (2) Vehicles registered under the International  
13 Registration Plan are subject to an excise tax  
14 determined on a monthly proration basis if their  
15 registration period is less than 12 months.

16 (3) ~~For commercial vehicles manufactured in model year  
17 1996 and after, the amount of excise tax due for trucks  
18 or truck tractors registered for more than 26,000  
19 pounds and for Class A special mobile equipment, as  
20 defined in Title 29-A, section 101, subsection 70, is  
21 based on the purchase price in the original year of  
22 title rather than on the list price. Verification of  
23 purchase price for the application of excise tax is  
24 determined by the initial bill of sale or the state  
25 sales tax document provided at point of purchase. The  
26 initial bill of sale is that issued by the dealer to  
27 the initial purchaser of a new vehicle. The excise tax  
28 on trucks, truck tractors and special mobile equipment  
29 is determined on the actual purchase price in the  
30 original title year rather than the maker's list price  
31 when:~~

32 (a) The motor vehicle is registered for more than  
33 26,000 pounds;

34 (b) The actual sales price is less than the  
35 maker's list price; and

36 (c) The motor vehicle is less than 6 years old as  
37 determined by the model year.

38 Verification of purchase price for the application of  
39 excise tax is determined by the initial bill of sale or  
40 the state sales tax document provided at point of  
41 purchase. The initial bill of sale is that issued by  
42 the dealer to the initial purchaser of a new vehicle.

2 For motor vehicles being registered pursuant to Title 29-A,  
3 section 405, subsection 1, paragraph C, the excise tax must  
4 be prorated for the number of months in the registration.

6 **Sec. 7. PL 2003, c. 356, §14** is amended to read:

8 **Sec. 14. Appropriations and allocations.** The following  
9 appropriations and allocations are made.

10 **SECRETARY OF STATE, DEPARTMENT OF THE**

12 **~~Bureau-of-Administrative-Services-and-Corporations--0692~~**  
13 **Administration - Motor Vehicles 0077**

14 Initiative: Allocates funds for one Attorney position and  
15 operating costs necessary to staff the Maine Motor Vehicle  
16 Franchise Board.

18

<b><del>Other-Special-Revenue-Funds</del> Highway Fund</b>	<b>2003-04</b>	<b>2004-05</b>
20 Positions - Legislative Count	(1,000)	(1,000)
21 Personal Services	\$51,188	\$74,057
22 All Other	\$13,788	\$10,488
23 Capital Expenditures	\$15,297	\$0
24	<hr/>	<hr/>
25 <del>Other-Special-Revenue-Funds</del>		
26 <u>Highway Fund</u> Total	\$80,273	\$84,545

28 **Sec. 8. Effective date.** Those sections of this Act that amend  
29 the Maine Revised Statutes, Title 29-A, section 533-A, subsection  
30 3, paragraph A and Title 36, section 1482, subsection 1,  
31 paragraph C take effect January 1, 2005.

34 **SUMMARY**

36 This bill allows the Secretary of State to issue disability  
37 special veteran plates.

38 The bill also adds a new registration category to be used  
39 for the 4-axle pilot project authorized by Public Law 2001,  
40 chapter 687.

42 The bill requires that excise tax be calculated on the  
43 actual sales price of trucks, truck tractors and special mobile  
44 equipment when the registered weight is more than 26,000 pounds,  
45 the sales price is less than the manufacturer's suggested retail  
46 price and the vehicle is less than 6 years old.

48 The bill corrects a technical error in the funding of a  
49 position created in Public Law 2003, chapter 356, which is  
50

2 assigned to the Department of the Secretary of State, Bureau of  
Motor Vehicles. The allocation is moved from the Bureau of  
4 Administrative Services and Corporations to the Bureau of Motor  
Vehicles Administration account.