

MAINE STATE LEGISLATURE

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TRANSPORTATION

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STATE OF MAINE
SENATE
121ST LEGISLATURE
SECOND SPECIAL SESSION

COMMITTEE AMENDMENT 'A' to S.P. 637, L.D. 1705, Bill, "An Act To Simplify the Maine Turnpike Authority's Enforcement Procedures for Toll Violations"

Amend the bill in section 2 in subsection 2-A by striking out all of paragraph G (page 4, lines 32 to 42 in L.D.) and inserting in its place the following:

'G. The authority shall notify the Secretary of State, who shall, in accordance with Title 29-A, section 154, subsection 6, suspend the registration certificate and plates issued for the vehicle involved in the alleged failure to pay if a registered owner:

(1) Does not dispute a notice of liability and pay the tolls, administrative fees and civil penalties as required by paragraph C, subparagraph (4);

(2) Does not pay the required tolls, administrative fees and civil penalties within 30 days of a final decision of a violation clerk as provided in paragraphs I and J; or

(3) Does not pay the required tolls, administrative fees and civil penalties within 30 days of final adjudication of liability under paragraph K.'

Further amend the bill in section 2 in subsection 2-A by striking out all of paragraph K (page 5, lines 46 to 48 in L.D.) and inserting in its place the following:

'K. Any decision by a violation clerk under this section is subject to judicial review of final agency action in the manner provided by Title 5, chapter 375, subchapter 7. If a registered owner files an appeal pursuant to this subsection, the authority may not notify the Secretary of State to suspend the registration certificate and plate issued for the vehicle involved in the alleged failure to pay until the appeal is resolved.'

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

'Sec. 3. 23 MRSA §1980, sub-§2-B, ¶C is enacted to read:

C. A photograph, microphotograph, videotape or recorded image obtained from a photo-monitoring system as defined in subsection 2-A may not be used by the authority for the purposes of collection of a toll or other charge if the photograph, microphotograph, videotape or recorded image shows the face of a passenger or driver of a motor vehicle.'

Further amend the bill in section 3 by striking out all of subsection 6 and inserting in its place the following:

'6. Recovery of turnpike tolls. Upon receipt of an order of suspension notice from the court Maine Turnpike Authority in accordance with Title 23, section 1980, subsection 2-A, paragraph G, the Secretary of State shall promptly mail a notice to the person liable under that subsection for unpaid Maine Turnpike Authority tolls, warning the person that, if the amount due the Maine Turnpike Authority is not paid within 10 days from the date of mailing the notice, suspension of the registration certificate and plates issued for the vehicle in question will result. If the person fails to pay the required amount within 10 days after mailing of the notice, the Secretary of State shall, in accordance with section 2482, shall mail the required 10-day notice and suspend, pursuant to chapter 23, the registration certificate and plates issued for the vehicle in question. This subsection takes effect July 1, 1995. The Secretary of State may not reinstate the registration certificate and plates until the Maine Turnpike Authority provides notice that the toll and applicable fines and penalties have been paid. Notwithstanding any other provision of law, Title 5, section 9052, subsection 1 does not apply to a notice of suspension issued pursuant to this subsection.'

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

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SUMMARY

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10 This amendment provides that a toll evader has a 30-day
period either from the receipt of a notice of liability or, in
the case of an appeal, from the final decision of the Maine
Turnpike Authority on the appeal or from the final adjudication
12 of liability in Superior Court in which to pay any applicable
tolls, administrative fees and penalties. If the toll evader
14 fails to pay all applicable tolls, administrative fees and
penalties, the registration of the vehicle owner will be
16 suspended. The amendment removes the provision from the bill
that would allow the Secretary of State, upon receipt of notice
18 from the Maine Turnpike Authority, to suspend the registration
and plates of a toll violator without providing written notice to
20 the vehicle owner. This amendment also provides that an image
that shows the face of a person may not be used by the Maine
22 Turnpike Authority for the purpose of collecting tolls and fines
for nonpayment of tolls.

FISCAL NOTE REQUIRED
(See attached)

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



LD 1705

**An Act To Simplify the Maine Turnpike Authority's Enforcement
Procedures for Toll Violations**

LR 2565(02)

Fiscal Note for Bill as Amended by Committee Amendment 'A'

Committee: Transportation

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund
Minor revenue increase - General Fund

Correctional and Judicial Impact Statements

This bill may increase the number of civil suits filed in the court system