

MAINE STATE LEGISLATURE

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Eds

L.D. 657

DATE: 5/23/15

(Filing No. H-459)

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TRANSPORTATION

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
FIRST SPECIAL SESSION

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COMMITTEE AMENDMENT "A" to H.P. 477, L.D. 657, Bill, "An Act To Amend the Vehicle Gross and Axle Weight Laws"

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Amend the bill by striking out the title and substituting the following:

'An Act To Amend the Axle Weight Laws'

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Further amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

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'Sec. 1. 29-A MRSA §2357, sub-§7, as amended by PL 2001, c. 513, §1, is further amended to read:

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7. **Penalty calculation; fine base and fine schedule.** When a weight tolerance established in this section is exceeded, the difference between the actual weight and the fine base for the tolerance must be used as the basis for determining the percentage of overload in the appropriate fine schedule and the tolerance must be disregarded. For a 6-axle combination vehicle described in subsection 4 that is registered for 100,000 pounds, the fine base for the gross vehicle weight is 100,000 pounds and the fine schedule in section 2354 applies. For a 6-axle combination vehicle described in subsection 4 that is registered for less than 100,000 pounds, the fine base for gross vehicle weight is 90,000 pounds and the fine schedule in section 2360 applies. For all other vehicles operating under the gross vehicle weight tolerances in subsection 2, except as provided in subsection 9, and for all vehicles operating under the axle unit

COMMITTEE AMENDMENT

2025

weight tolerances in subsection 2, the fine base is the appropriate limit in section 2353 and the fine schedule in section 2360 applies.

Sec. 2. 29-A MRSA §2357, sub-§9 is enacted to read:

9. Penalty calculation; tandem axle fine base for 6-axle special commodity vehicles registered for 100,000 pounds gross weight. For a 6-axle tractor-semitrailer vehicle registered for 100,000 pounds gross weight hauling special commodities with a tandem axle weight for which a Violation Summons and Complaint may be issued, the tandem axle weight fine provided by section 2360 must be based on the difference between the tandem axle weight and 41,000 pounds.

Sec. 3. 29-A MRSA §2360, sub-§16, ¶C is enacted to read:

C. For a 5-axle or 6-axle tractor-semitrailer vehicle registered for less than 100,000 pounds gross weight hauling special commodities with a tandem axle weight of at least 47,000 pounds but not more than 48,260 pounds for which a Violation Summons and Complaint may be issued, the fine is \$731 plus \$136 for every 315 pounds over 47,000 pounds. Subsections 3 and 5 apply to tandem axle weights of less than 47,000 pounds or exceeding 48,260 pounds.

Sec. 4. 29-A MRSA §2360, sub-§17, as enacted by PL 2001, c. 267, §8 and affected by §16, is amended to read:

17. Exception to fine schedule for forest products tri-axle. Notwithstanding subsections 3 and 5, for a 4-axle single unit vehicle hauling forest products with a tri-axle weight for which a Violation Summons and Complaint may be issued, but which is less than 66,500 pounds, the fine is \$220. If the tri-axle weight is at least 66,500 pounds, but is less than 70,560 pounds, the fine is \$634 plus \$414 for every 580 pounds over 66,500 pounds. Subsection 3 applies to tri-axle weights of 70,560 pounds or more.

Sec. 5. 29-A MRSA §2360-A is enacted to read:

§2360-A. Exception to axle fines during the midwinter season

1. Axle fines waived; midwinter season. The fine is waived and the Violation Summons and Complaint is not issued for violations of axle and axle group weight limits or tolerances provided by sections 2352, 2353, 2354, 2354-A, 2357, 2364 and 2365 for vehicles traveling during the months of January and February.

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2. Exceptions. This section does not apply to:

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A. Vehicles traveling on the Interstate Highway System, including the portion of the Maine Turnpike designated Interstate 95 and that portion of Interstate 95 from the southern terminus of the Maine Turnpike to the New Hampshire state line; or

B. Vehicles traveling on ways restricted under the provisions of section 2395.'

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SUMMARY

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This amendment replaces the bill and changes the title. The amendment amends the calculation of tandem axle weight fines for 6-axle trucks hauling special commodities to clarify that the lower fine applies. It also amends the axle weight fine schedules to eliminate relatively steep fine increases for smaller violations for trucks hauling forest products, resulting in fine reductions from current law. The amendment also eliminates axle weight fine violations during the months of January and February on most state roads.

FISCAL NOTE REQUIRED
(See attached)



Approved: 05/20/05 *MAC*

122nd MAINE LEGISLATURE

LD 657

LR 0425(02)

An Act To Amend the Vehicle Gross and Axle Weight Laws

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

Committee: Transportation

Fiscal Note Required: Yes

Fiscal Note

Undetermined current biennium cost increase - Highway Fund
Undetermined current biennium revenue decrease - Highway Fund
Undetermined current biennium revenue decrease - General Fund
Undetermined current biennium revenue decrease - Other Special Revenue Funds

Fiscal Detail and Notes

This legislation reduces the fines assessed for excessive vehicle weight violations by changing the methodology of fine calculations for 4 and 6 axle trucks and eliminates all axle fines during January and February. The estimated loss of General Fund, Highway Fund and Law Enforcement Agency Reimbursement Fund revenue can not be determined at this time due to the Judicial Department's inability to differentiate violator-specific axle and weight information.

Reducing and eliminating certain fines for overweight vehicles will also result in increased non-compliance with overweight vehicle restrictions, thereby increasing damage to the state's highway system; the repair costs to the Highway Fund can not be determined at this time.