

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 657

H.P. 477

House of Representatives, February 8, 2005

An Act To Amend the Vehicle Gross and Axle Weight Laws

Reference to the Committee on Transportation suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative THOMAS of Ripley.
Cosponsored by Senator MARTIN of Aroostook and
Representatives: CLARK of Millinocket, FLOOD of Winthrop, HOGAN of Old Orchard
Beach, JOY of Crystal, PARADIS of Frenchville, VAUGHAN of Durham, Senators:
DIAMOND of Cumberland, MILLS of Somerset.

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

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

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. the fine base must be the actual weight plus the tolerance set out in subsection 2 to determine the percentage overload in the appropriate fine schedule under this chapter. 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, and for all vehicles operating under the axle unit weight tolerances in subsection 2, the fine base is the appropriate limit in section 2353 and the fine schedule in section 2360 applies.

SUMMARY

This bill requires that for vehicle weight violations for vehicles for which the law provides a tolerance, the base on which the fine is calculated must be the actual weight plus the tolerance allowed.