

MAINE STATE LEGISLATURE

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DATE: 5.10.05

(Filing No. S-156)

NATURAL RESOURCES

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STATE OF MAINE
SENATE
122ND LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT 'A' to S.P. 448, L.D. 1268, Bill, "An Act To Amend the Law on Junkyards, Automobile Graveyards and Automobile Recycling Businesses"

Amend the bill in section 1 by striking out all of paragraph A (page 1, lines 6 to 49 and page 2, lines 2 to 19 in L.D.) and inserting in its place the following:

'A. "Automobile graveyard" does not include:

(1) An area used for temporary storage of vehicles or vehicle parts by an establishment or place of business that is primarily engaged in doing vehicle repair work to make repairs to render a motor vehicle serviceable. In order for a vehicle's storage to be considered temporary, it must be removed from the site within 180 calendar days of its receipt;

(2) An area used by an automobile hobbyist to store, organize, restore or display antique autos, antique motorcycles, classic vehicles, horseless carriages, reconstructed vehicles, street rods or parts of these vehicles as these vehicles are defined in Title 29-A, section 101 as long as the hobbyist's activities comply with all applicable federal and state statutes and rules and municipal ordinances, other than ordinances that are more restrictive than this subsection regarding the storage of vehicles or vehicle parts that are collected by a hobbyist, except that a municipal ordinance may require areas used by an automobile

2 hobbyist to comply with the screening requirements in
3 section 3754-A, subsection 1, paragraph A and the
4 standards in section 3754-A, subsection 5, paragraph A,
5 paragraph B, subparagraph (1) and paragraph C. For the
6 purposes of this subparagraph, an automobile hobbyist
7 is a person who is not primarily engaged in the
8 business of selling any of those vehicles or parts from
9 those vehicles;

10 (3) An area used for the parking or storage of
11 vehicles, vehicle parts or equipment intended for use
12 by a municipality, quasi-municipal entity or state or
13 federal agency;

14 (4) An area used for the storage of operational farm
15 tractors and related farm equipment, log skidders,
16 logging tractors or other vehicles exempted from
17 registration under Title 29-A, chapter 5;

18 (5) An area used for the parking or storage of
19 vehicles or equipment being offered for sale by a
20 dealer, equipment dealer, trailer dealer or vehicle
21 auction business as defined in Title 29-A, section 851;

22 (6) An area used for the storage of vehicles by an
23 establishment or place of business that is primarily
24 engaged in business as a new vehicle dealer as defined
25 in Title 29-A, section 851;

26 (7) An area used for temporary storage of vehicles by
27 an establishment or place of business that is primarily
28 engaged in business as an insurance salvage pool. In
29 order for a vehicle's storage to be considered
30 temporary under this subparagraph, the vehicle must be
31 removed from the site within 180 days of receipt of
32 title by the business; or

33 (8) An area used for the parking or storage of
34 operational commercial motor vehicles, special
35 equipment or special mobile equipment as defined in
36 Title 29-A, section 101 that is temporarily out of
37 service but is expected to be used by the vehicle or
38 equipment owner or by an operator designated by the
39 owner. This subsection does not exempt an area used
40 for the parking or storage of equipment or vehicles
41 that are not operational while stored or parked in the
42 area.'

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COMMITTEE AMENDMENT "A" to S.P. 448, L.D. 1268

2 Further amend the bill in section 5 in subsection 10 in the
3 2nd and 3rd lines (page 3, lines 49 and 50 in L.D.) by striking
4 the following: 'automobile recycling business'

6 Further amend the bill in section 5 in subsection 10 in the
7 4th line (page 4, line 1 in L.D.) by striking the following: 'automobile recycling business'
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10 **SUMMARY**

12 The amendment keeps the automobile hobbyist exemption in the
13 laws governing automobile graveyards and amends the exemption to
14 provide that municipal ordinances may require areas that are used
15 for hobbyist activities to comply with screening requirements and
16 certain environmental standards. The amendment also strikes a
17 reference to automobile recycling businesses in the operating
18 standards for junkyards and automobile graveyards.

FISCAL NOTE REQUIRED
(See attached)



122nd MAINE LEGISLATURE

LD 1268

LR 0381(02)

An Act To Amend the Law on Junkyards, Automobile Graveyards and Automobile Recycling Businesses

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

Committee: Natural Resources

Fiscal Note Required: Yes

Fiscal Note

Current Cost - State Mandate

State Mandate

New or Expanded Activity

Requiring that certain municipal and county officers must provide certain public hearing notices to the Secretary of State represents an unfunded state mandate; the costs are likely to be relatively insignificant.

Unit Affected

Municipality
County

Costs

Insignificant