

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 1341

S.P. 468

In Senate, March 17, 2005

An Act To Amend the Motor Vehicle Laws

Submitted by the Department of Public Safety pursuant to Joint Rule 204.
Reference to the Committee on Transportation suggested and ordered printed.

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

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator DAMON of Hancock.
Cosponsored by Representative MARLEY of Portland and
Representatives: JACKSON of Fort Kent, MAZUREK of Rockland, McKENNEY of
Cumberland, TARDY of Newport.

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

2
4 **Sec. 1. 29-A MRSA §101, sub-§2**, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

6 **2. Altered vehicle.** "Altered vehicle" means a motor
8 ~~vehicle with a gross vehicle weight rating of 10,000 pounds or~~
10 ~~less~~ that is modified so that the distance from the ground to the
12 lowest point on any part of the frame or body is different
14 from the manufacturer's specifications, unless that difference is
16 caused by:

18 A. The use of tires that are no more than 2 sizes larger
20 than the manufacturer's recommended size;

22 B. The installation of a heavy duty suspension, including
24 shock absorbers and overload springs; or

26 C. Normal wear of the suspension system that does not
28 affect control of the vehicle.

30 **Sec. 2. 29-A MRSA §101, sub-§3, ¶D**, as amended by PL 1997, c.
32 653, §2, is further amended to read:

34 D. Not used as its owner's primary mode of transportation
36 of passengers or goods; and

38 **Sec. 3. 29-A MRSA §101, sub-§3, ¶E**, as enacted by PL 1997, c.
40 653, §3, is amended to read:

42 E. Not a reconstructed vehicle; and

44 **Sec. 4. 29-A MRSA §101, sub-§3, ¶F** is enacted to read:

46 F. Not an altered vehicle.

48 **Sec. 5. 29-A MRSA §458-A**, as enacted by PL 2001, c. 225, §2,
50 is repealed.

Sec. 6. 29-A MRSA §1251, sub-§1, ¶¶C and D, as enacted by PL
2003, c. 452, Pt. Q, §17 and affected by Pt. X, §2, are amended
to read:

 C. Without a license issued by this State if a resident of
this State for more than 30 days but fewer than 90 days.
Violation of this paragraph is a traffic infraction; ~~or~~

 D. Without a license issued by this State if a resident of
this State for more than 90 days. Violation of this
paragraph is a Class E crime, which is a strict liability

crime as defined in Title 17-A, section 34, subsection 4-A.;
or

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4

Sec. 7. 29-A MRSA §1251, sub-§1, ¶E is enacted to read:

6

E. With a license issued by this State that expired within
the previous 90 days. Violation of this paragraph is a
traffic infraction.

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Sec. 8. 29-A MRSA §1752, sub-§4, ¶B, as enacted by PL 1993, c.
683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

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14

B. Has a partial annual inspection of the running gear,
steering mechanism, brakes, exhaust system and lights;
safety glass under section 1915; and tires under section
1917, -subsectien-3; and

16

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Sec. 9. 29-A MRSA §1752, sub-§7, ¶B, as enacted by PL 1993, c.
683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

20

22

B. Has a partial annual inspection consisting of the
running gear, steering mechanism, brakes, exhaust system and
lights; safety glass under section 1915; and tires under
section 1917; and

24

26

Sec. 10. 29-A MRSA §1752, sub-§9, as repealed and replaced by
PL 2003, c. 688, Pt. A, §34, is amended to read:

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30

9. Registered in this State. A motor vehicle registered in
this State displaying a valid certificate of inspection from
another state or a federally approved commercial vehicle
inspection program until-its-normal-expiration for one year after
the date of inspection;

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34

36

Sec. 11. 29-A MRSA §1753, sub-§1, as enacted by PL 1993, c.
683, Pt. A, §2 and affected by Pt. B, §5, is repealed.

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Sec. 12. 29-A MRSA §1753, sub-§1-A is enacted to read:

40

1-A. Inspection required. Except as provided in subsection
4, the following vehicles required to be registered in this State
must be inspected annually and meet the requirements of this
section:

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44

46

A. A motor vehicle that is used in interstate commerce and
that has a gross vehicle weight or gross vehicle weight
rating greater than 10,000 pounds, including the gross
vehicle weight rating or gross weight of any trailer or
semitrailer;

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2 B. A motor vehicle that has a gross vehicle weight rating
greater than 10,000 pounds; and

4 C. A trailer or semitrailer that has a gross vehicle weight
rating greater than 6,000 pounds or has more than one axle.

6
8 **Sec. 13. 29-A MRSA §1753, sub-§2,** as enacted by PL 1993, c.
683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

10 **2. Scope of inspection.** The Chief of the State Police
12 shall adopt rules for the inspection required by subsection 1 1-A
that meet the requirements of 49 Code of Federal Regulations,
Section 396.17.

14
16 **Sec. 14. 29-A MRSA §1753, sub-§4,** as enacted by PL 1993, c.
683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

18 **4. Vehicles exempt from annual inspection.** The following
vehicles are exempt from the requirements of this section:

20 ~~A. When used exclusively in intrastate commerce, a trailer~~
22 ~~or semitrailer with a gross vehicle weight, including any~~
~~load, that does not exceed 3,000 pounds;~~

24
26 B. When used exclusively in intrastate commerce, a A
semitrailer designed and used exclusively for dispensing
28 cable from reels attached to the semitrailer, commonly
called a reel trailer, and any semitrailer designed and used
30 exclusively to support the ends of poles being transported,
commonly called a pole dolly, when the gross weight of the
semitrailer and load does not exceed 12,000 pounds;

32
34 C. Any mobile home, empty storage trailer or empty storage
semitrailer displaying a trailer transit plate in accordance
with section 954, subsections 4 and 5;

36
38 D. A farm truck or a fish truck exempted under section
1752; and

40
42 E. A trailer or semitrailer displaying a valid certificate
of inspection from another state or a federally approved
commercial vehicle inspection program until the normal
expiration of its certificate of inspection; and

44 F. A trailer or semitrailer that is a camp trailer.

46
48 **Sec. 15. 29-A MRSA §1905, sub-§1,** as enacted by PL 1993, c.
683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

1 **1. Requirement.** Except as provided in subsection 3, a
2 motor vehicle with 3 or more wheels or a trailer or semitrailer
3 must have on the rear 2 lights, one on each side of the axis,
4 each capable of displaying a red light visible for a distance of
5 at least 100 feet behind the vehicle.
6

7 **Sec. 16. 29-A MRSA §1917, sub-§2,** as amended by PL 2003, c.
8 146, §1, is further amended to read:

9 **2. Safe tires required.** A motor vehicle may not be
10 operated on a public way unless it is equipped with tires in safe
11 operating condition. A tire mounted on a motor vehicle is not
12 considered to be in safe operating condition unless it meets the
13 visual and tread depth requirements set forth in subsections 3
14 and 4 and the wheel size requirements in subsection 6. ~~A vehicle
15 may be equipped only with tires that meet or exceed the load and
16 speed rating of the original equipment tires.~~
17

18 **Sec. 17. 29-A MRSA §2358, sub-§10,** as enacted by PL 1993, c.
19 683, Pt. A, §2 and affected by Pt. B, §5, is repealed.

20 **Sec. 18. 29-A MRSA §2381, sub-§2, ¶B,** as enacted by PL 1993,
21 c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:
22

23 B. Overwidth mowing machines, light farm tractors or other
24 lightweight farming vehicles and equipment not customarily
25 operated over public ways, if equipped with lights pursuant
26 to section 1906, subsection 1, or reflectors at least 12
27 inches by 12 inches, to the front and rear adequately
28 warning, during nighttime, other highway users of the
29 extreme width; or
30
31
32

33 SUMMARY

34 This bill amends the motor vehicle law as follows.
35

36 1. It amends the definition of altered vehicle by deleting
37 the language limiting altered vehicles to those motor vehicles
38 with a gross vehicle weight rating of 10,000 pounds or less.
39

40 2. It amends the definition of an antique vehicle so that
41 an antique vehicle cannot be an altered vehicle.
42

43 3. It expands the partial inspection requirements for a
44 farm truck to include safety glass.
45

46 4. It expands the partial inspection requirements for a
47 fish truck to include safety glass and tires.
48

- 2 5. It repeals language regarding modified show vehicles.
- 4 6. It inserts language that was inadvertently repealed
6 during the First Regular Session of the 121st Legislature making
it a traffic infraction to operate a motor vehicle for the first
90 days with an expired Maine license.
- 8 7. It requires that vehicles registered in this State
10 displaying a valid certificate of inspection from another state
be inspected one year after the date of that inspection rather
12 than by the certificate's inspection date.
- 14 8. It amends the commercial motor vehicle inspection
requirements.
- 16 9. It requires trailers and semitrailers to be equipped
18 with 2 rear lights.
- 20 10. It allows for an exception to the speed rating
requirements for tires.
- 22 11. It repeals antiquated language regarding a
24 record-keeping requirement.
- 26 12. It requires lights and reflectors on overwidth mowers
and farm equipment being moved on a highway at night to be
28 located in specific places and to be of a certain size,
respectively.
- 30