

# MAINE STATE LEGISLATURE

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Date: 06-07-07

(Filing No. S- 242)

**TRANSPORTATION**

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**STATE OF MAINE  
SENATE  
123RD LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 168, L.D. 513, Bill, "An Act To Amend the Motor Vehicle Laws"

Amend the bill by inserting after the enacting clause and before section 1 the following:

'Sec. 1. 10 MRSA §1163, sub-§7, as amended by PL 2003, c. 337, §5, is further amended to read:

7. **Disclosure at time of resale for failure to make effective repair.** A motor vehicle that is returned to the manufacturer under subsection 2 may not be resold without clear and conspicuous written disclosure to any subsequent purchaser, whether that purchaser is a consumer or a dealer, of the following information:

- A. That the motor vehicle was returned to the manufacturer under this chapter;
- B. That the motor vehicle did not conform to the manufacturer's express warranties; and
- C. The ways in which the motor vehicle did not conform to the manufacturer's express warranties.

The certificate of title of a vehicle subject to the disclosure requirements of this subsection is subject to the branding requirements of Title 29-A, section 670.'

Amend the bill by inserting after section 1 the following:

'Sec. 2. 29-A MRSA §456-A, sub-§8, as enacted by PL 2001, c. 623, §4, is amended to read:

8. **Weight limit.** A lobster plate may be issued for a motor vehicle that does not exceed ~~9,000~~ 10,000 pounds. A motor vehicle that exceeds 6,000 pounds is subject to the fees in section 504.

**COMMITTEE AMENDMENT**

1       **Sec. 3. 29-A MRSA §456-B, sub-§8**, as enacted by PL 2001, c. 623, §4, is  
2 amended to read:

3       **8. Weight limit.** A Maine Black Bears plate may be issued for a motor vehicle that  
4 does not exceed ~~9,000~~ 10,000 pounds. A motor vehicle that exceeds 6,000 pounds is  
5 subject to the fees in section 504.

6       **Sec. 4. 29-A MRSA §468**, as amended by PL 2003, c. 652, Pt. B, §1 and affected  
7 by §8, is further amended to read:

8       **§468. Specialty plate**

9       The Secretary of State may not issue a specialty license plate ~~unless~~ until the sponsor  
10 has met all of the requirements of this section and the proposed specialty license plate  
11 legislation as required in subsection 7 is authorized reviewed by the joint standing  
12 committee of the Legislature having jurisdiction over transportation matters and approved  
13 by the Legislature. For the purposes of this section, "specialty license plate" means a  
14 specially designed registration plate that may be used in place of the regular plate and  
15 registration for fundraising purposes. The Secretary of State shall administer a specialty  
16 license plate in accordance with the following provisions.

17       **1. Sponsor.** A person must register with the Secretary of State as the sponsor of a  
18 specialty license plate.

19       **2. Names, signatures and payment.** The Secretary of State may not manufacture  
20 an authorized specialty plate unless the sponsor ~~pays in advance for the manufacture of at~~  
21 ~~least 2,000 pairs of the specialty plate and provides a list with 2,000 names, signatures~~  
22 ~~and current plate numbers of supporters who intend to purchase the specialty license~~  
23 ~~plate. A payment of \$40,000 for 2,000 pairs of plates at \$20 per pair must be deposited in~~  
24 ~~the Specialty License Plate Fund established under section 469. The Secretary of State~~  
25 ~~shall provide one \$20 credit to purchase a pair of specialty license plates for each name~~  
26 ~~and signature provided.:~~

27       A. Provides to the Secretary of State a list with 2,000 names, dated signatures and  
28 current plate numbers of supporters who have signed a statement declaring they  
29 intend to purchase and display the specialty license plate; and

30       B. Collects from each supporter who signs the statement an amount of \$25 for each  
31 set of plates and provides to the Secretary of State the sum of these contributions in  
32 the amount of \$50,000, which is nonrefundable.

33       The Secretary of State shall deposit the \$50,000 provided under paragraph B in the  
34 Specialty License Plate Fund established under section 469.

35       ~~**3. Fee.** The Secretary of State shall establish a fee for each pair of an authorized~~  
36 ~~specialty plate of \$20.~~

37       **3-A. Credit receipts.** The Secretary of State shall provide 2,000 credit receipts to  
38 the sponsor to provide to each supporter that contributed \$25. The credit receipt may be  
39 used only to obtain one set of specialty plates.

1 **3-B. Registration fee.** The fee for the specialty license plate is in addition to the  
2 regular motor vehicle registration fee required by section 501 and the excise tax required  
3 by Title 36, section 1482.

4 **4. Minimum number manufactured.** The Secretary of State shall manufacture a  
5 minimum of 2,000 specialty license plates for each specialty plate authorized under this  
6 section.

7 **5. Design approval.** A sponsor must submit a proposed design for a specialty  
8 license plate for approval or modification by the Secretary of State. The joint standing  
9 committee of the Legislature having jurisdiction over transportation matters shall review  
10 the final design for a specialty license plate prior to manufacture of the plate.

11 **6. Duplicate plates.** The Secretary of State shall issue a specialty license plate in a  
12 3-number and 3-letter combination sequence. Vanity plates may not duplicate vanity  
13 plates issued in another class of plate.

14 **7. Deadline for Secretary of State approval.** The sponsor must submit to the  
15 Secretary of State the names, signatures, payment and proposed design for the specialty  
16 license plate by September 1st. The signatures must have been collected within 2 years  
17 of submission to the Secretary of State. If the design is approved pursuant to subsection  
18 5, the Secretary of State shall submit proposed legislation seeking authorization of the  
19 specialty license plate to the following regular session of the Legislature.

20 **8. Weight limit.** A specialty license plate may be issued for an automobile or  
21 pickup truck that does not exceed ~~6,000~~ 10,000 pounds.

22 **9. Limit on authorization.** The Secretary of State shall retire and cease to issue any  
23 plate authorized after January 1, 2007 upon the occurrence of the earlier of:

24 A. When the number of sets of the plate issued falls below 4,000 for more than one  
25 year; and

26 B. Ten years after the date of authorization.

27 **10. Additional versions or classes of the specialty plate.** All requirements set forth  
28 in this section must be followed for each additional class or version of a specialty plate.

29 **Sec. 5. 29-A MRSA §468-A,** as enacted by PL 2003, c. 652, Pt. B, §2 and  
30 affected by §8, is amended to read:

31 **§468-A. Recognition license plates**

32 The Secretary of State may not issue a recognition license plate ~~unless~~ until the  
33 sponsor has met all of the requirements of this section and the proposed recognition  
34 license plate legislation as required by subsection 8 is authorized reviewed by the joint  
35 standing committee of the Legislature having jurisdiction over transportation matters and  
36 approved by the Legislature. The Secretary of State shall administer a recognition license  
37 plate in accordance with this section.

38 **1. Definition.** "Recognition license plate" means a specially designed registration  
39 plate that may be used in place of the regular plate and registration for recognition  
40 purposes only and is not used for fundraising purposes.

1       **2. Sponsor.** A person shall register with the Secretary of State as the sponsor of a  
2 recognition license plate.

3       **3. Names, signatures and payment.** The Secretary of State may not manufacture  
4 an authorized recognition license plate unless a sponsor ~~under subsection 2 pays in~~  
5 ~~advance for the manufacture of at least 2,000 pairs of the recognition license plate and~~  
6 ~~provides a list with 2,000 names, signatures and current plate numbers of supporters who~~  
7 ~~intend to purchase the recognition license plate. A payment of \$40,000 for 2,000 pairs of~~  
8 ~~plates at \$20 per pair must be deposited in the Specialty License Plate Fund established~~  
9 ~~under section 469. After 2,000 pairs of plates are purchased or 5 years have passed from~~  
10 ~~the date the plate is authorized, whichever occurs first, the Secretary of State shall~~  
11 ~~reimburse \$20,000 to the sponsor of the plate from the Specialty License Plate Fund.:~~

12       A. Provides to the Secretary of State a list with 2,000 names, dated signatures and  
13 current plate numbers of supporters who have signed a statement declaring they  
14 intend to purchase and display the recognition license plate; and

15       B. Collects from each supporter who signs the statement an amount of \$25 for each  
16 set of plates and provides the Secretary of State the sum of these contributions in the  
17 amount of \$50,000, which is nonrefundable.

18       The Secretary of State shall deposit the \$50,000 provided under paragraph B into the  
19 Specialty License Plate Fund established under section 469.

20       3-A. Credit receipts. The Secretary of State shall provide 2,000 credit receipts to  
21 the sponsor to provide to each supporter that contributed \$25. The credit receipt may be  
22 used only to obtain one set of specialty plates.

23       **4. Registration fee.** The fee for the recognition license plate is in addition to the  
24 regular motor vehicle registration fee required by section 501 and the excise tax required  
25 by Title 36, section 1482.

26       **5. Minimum number manufactured.** The Secretary of State shall manufacture a  
27 minimum of 2,000 recognition license plates for each recognition license plate authorized  
28 under this section.

29       **6. Design approval.** A sponsor must submit a proposed design for a recognition  
30 license plate for approval or modification by the Secretary of State. The joint standing  
31 committee of the Legislature having jurisdiction over transportation matters shall review  
32 the final design for a recognition license plate prior to the manufacture of the plate.

33       **7. Duplicate plates.** The Secretary of State shall issue a recognition license plate in  
34 a 3-number and 3-letter combination sequence. Vanity plates may not duplicate vanity  
35 plates issued in another class of plate.

36       **8. Deadline for Secretary of State approval.** The sponsor shall submit to the  
37 Secretary of State the names, signatures, payment and proposed design for the recognition  
38 license plate by September 1st. The signatures must have been collected within 2 years  
39 of submission to the Secretary of State. If the design is approved pursuant to subsection  
40 6, the Secretary of State shall submit proposed legislation seeking authorization of the  
41 recognition license plate to the following regular session of the Legislature.

1       **9. Weight limit.** A recognition license plate may not be issued for an automobile or  
2 pickup truck that weighs more than ~~6,000~~ 10,000 pounds.

3       **10. Limit on authorization.** The Secretary of State shall retire and cease to issue  
4 any plate authorized after January 1, 2007 upon the occurrence of the earlier of:

5       A. When the number of sets of the plate issued falls below 4,000 for more than one  
6 year; and

7       B. Ten years after the date of authorization.

8       **11. Additional versions or classes of the recognition plate.** All requirements set  
9 forth in this section must be followed for each additional class or version of a recognition  
10 plate.'

11       Amend the bill by inserting after section 6 the following:

12       ‘**Sec. 7. 29-A MRSA §519, sub-§3,** as amended by PL 2005, c. 80, §1, is further  
13 amended to read:

14       **3. Use of registration plate.** The registration plate may be used on only one motor  
15 vehicle with a registered gross weight of not more than ~~9,000~~ 10,000 pounds.

16       **Sec. 8. 29-A MRSA §521, sub-§13** is enacted to read:

17       **13. Altering placard.** A person who alters or causes to be altered the expiration  
18 date of a disability placard issued pursuant to this section commits a traffic infraction and  
19 is subject to a penalty of not less than \$100 nor more than \$500.

20       **Sec. 9. 29-A MRSA §523, sub-§2,** as amended by PL 2005, c. 573, §3, is further  
21 amended to read:

22       **2. Disabled veterans; special free license plates.** The Secretary of State, on  
23 application and upon evidence of payment of the excise tax required by Title 36, section  
24 1482, shall issue a registration certificate and set of special designating plates to be used  
25 in lieu of regular registration plates for a vehicle with a registered gross weight of not  
26 more than ~~9,000~~ 10,000 pounds to any 100% disabled veteran when that application is  
27 accompanied by certification from the United States Veterans Administration or any  
28 branch of the United States Armed Forces as to the veteran's permanent disability and  
29 receipt of 100% service-connected benefits. A disability placard is issued in addition to  
30 the disabled veteran registration plate at no fee.

31       These special designating plates must bear the words "Disabled Veteran," which indicate  
32 that the vehicle is owned by a disabled veteran.’

33       Amend the bill in section 7 in subsection 3 in the 5th line (page 2, line 13 in L.D.) by  
34 striking out the following: "9,000" and inserting the following: '~~9,000~~ 10,000'

35       Amend the bill by striking out all of section 9 (page 3, lines 20 to 26 in L.D.) and  
36 inserting the following:

37       ‘**Sec. 9. 29-A MRSA §524-A, sub-§6,** as enacted by PL 2003, c. 683, §1, is  
38 amended to read:

1       **6. Weight limit.** A Wabanaki plate may be issued for a motor vehicle that does not  
2 exceed ~~9,000~~ 10,000 pounds. A motor vehicle that exceeds 6,000 pounds is subject to the  
3 fees in section 504.

4       **Sec. 10. 29-A MRSA §670** is enacted to read:

5       **§670. Maine Lemon Law vehicle**

6       This section applies to any motor vehicle subject to the disclosure requirements of  
7 Title 10, section 1163, subsection 7. A manufacturer to whom the motor vehicle was  
8 returned pursuant to Title 10, section 1163, subsection 2 shall return the title of the motor  
9 vehicle to the Secretary of State with an application for a new title in the name of the  
10 manufacturer. The Secretary of State shall issue a certificate of title that includes the  
11 following brand: "Lemon Law Buyback." All subsequent certificates of title to that  
12 vehicle must contain the same brand.'

13       Amend the bill by inserting after section 11 the following:

14       ‘**Sec. 12. 29-A MRSA §1304, sub-§2, ¶D**, as enacted by PL 1993, c. 683, Pt. A,  
15 §2 and affected by Pt. B, §5, is amended to read:

16       D. An instruction permit is valid for ~~one year~~ 2 years.

17       **Sec. 13. 29-A MRSA §1304, sub-§2, ¶E**, as amended by PL 2005, c. 577, §19,  
18 is further amended to read:

19       E. Failure to complete the driving test within 2 years from ~~issue~~ the date ~~requires~~  
20 ~~reexamination for the~~ of issuance of an instruction permit requires reexamination for  
21 a subsequent instruction permit to be issued. In the case of a motorcycle learner's  
22 permit, failure to complete the driving test within one year from issue date of the  
23 permit requires another completion of the motorcycle driver education course  
24 required by section 1352 before a subsequent permit is issued.

25       **Sec. 14. 29-A MRSA §1352, sub-§6, ¶B**, as amended by PL 2001, c. 671, §26,  
26 is further amended to read:

27       B. Road examination for the holder of a valid motor vehicle operator's license on  
28 receipt of a certificate demonstrating successful completion of the ~~Motorcycle Basic~~  
29 ~~Rider Course: Riding and Street Skills~~ or other hands-on motorcycle rider course  
30 approved by the Secretary of State. An endorsement issued pursuant to this  
31 paragraph prohibits the holder from carrying a passenger for a period of 60 days  
32 following the date of issuance of the endorsement.

33       **Sec. 15. 29-A MRSA §2301, sub-§5**, as repealed and replaced by PL 2005, c.  
34 433, §20 and affected by §28, is amended to read:

35       **5. School bus.** ~~"School bus" means a commercial motor vehicle used to transport~~  
36 ~~preprimary, primary or secondary school students from home to school, from school to~~  
37 ~~home or to and from school sponsored events. "School bus" does not include a bus used~~  
38 ~~as a common carrier or a private school activity bus.:~~

39       A. School bus CMV; or





COMMITTEE AMENDMENT "A" to S.P. 168, L.D. 513

- 1        2. Establishes definitions of commercial-vehicle-class and non-commercial-vehicle-  
2 class school buses. This revision reflects changes in the federal commercial driver's  
3 license requirements for school buses rated as commercial motor vehicles;
- 4        3. Provides that a person issued a summons for operating in excess of registered  
5 weight does not commit a subsequent violation involving the same vehicle and the same  
6 load until the next business day;
- 7        4. Repeals the requirement that a state trooper collect the difference in registration  
8 fee when a truck is found to be exceeding its registered weight and repeals the  
9 requirement that a foreign vehicle obtain a trip permit before proceeding. Currently,  
10 troopers calculate and collect the difference between the fee paid and the fee for the  
11 higher weight;
- 12        5. Makes altering the expiration date of a disability placard a traffic infraction;
- 13        6. Changes the name of the Motorcycle Rider Course to the Basic Rider Course;
- 14        7. Extends the term of a motorcycle learner's permit from 1 to 2 years to allow more  
15 time to for drivers to complete the driving test;
- 16        8. Changes the maximum weight limits for certain plates to conform to changes to the  
17 weight registration brackets made by the bill;
- 18        9. Requires the Secretary of State to brand the certificate of title of vehicles subject  
19 to the disclosure requirements of the Maine Lemon Law;
- 20        10. Makes a variety of changes to the specialty plate and recognition plate laws: it  
21 makes it clear that a proposed plate must be reviewed by the joint standing committee of  
22 the Legislature having jurisdiction over transportation matters and approved by the  
23 Legislature; requires supporters to sign and date a statement declaring that they intend to  
24 purchase and display the plate; requires that signatures be no more than 2 years old when  
25 submitted; increases the plate fee from \$20 to \$25 and clarifies that each supporter must  
26 contribute \$25; makes the total \$50,000 prepayment nonrefundable; increases the weight  
27 restriction to 10,000 lbs; retires new specialty plates after 10 years or if the number of  
28 plates falls below 4,000 plates for more than one year; and provides that all requirements  
29 of the law must be met for each version or class of plate; and
- 30        11. Provides that a sponsor who, as of June 1, 2007, has registered with the Secretary  
31 of State as a sponsor of a specialty plate or recognition plate under the Maine Revised  
32 Statutes, Title 29-A, section 468, subsection 1 or section 468-A, subsection 2 may meet  
33 the requirements of Title 29-A, section 468 or section 468-A, as applicable, that were in  
34 effect on June 1, 2007. A sponsor who registered with the Secretary of State prior to June  
35 1, 2005 has until January 1, 2008 to meet those requirements that were in effect on June  
36 1, 2007. A sponsor who registered with the Secretary of State on or after June 1, 2005  
37 has until 2 years from the date of registration to meet those requirements that were in

COMMITTEE AMENDMENT "A" to S.P. 168, L.D. 513

1 effect on June 1, 2007. If the sponsor fails to meet those requirements within the  
2 applicable time frame, the sponsor becomes subject to the new requirements established  
3 under this amendment.

4 **FISCAL NOTE REQUIRED**  
5 (See attached)



# 123rd MAINE LEGISLATURE

LD 513

LR 1032(02)

## An Act To Amend the Motor Vehicle Laws

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

**Committee: Transportation**

**Fiscal Note Required: Yes**

### Fiscal Note

	2007-08	2008-09	Projections 2009-10	Projections 2010-11
<b>Net Cost (Savings)</b>				
Highway Fund	(\$126,700)	(\$168,900)	(\$168,900)	(\$168,900)
<b>Revenue</b>				
Highway Fund	\$126,700	\$168,900	\$168,900	\$168,900

#### Fiscal Detail and Notes

Various changes in vehicle registration categories and requirements will result in a net increase of Highway Fund revenue collected by the Bureau of Motor Vehicles within the Department of the Secretary of State; the estimated amounts are \$126,700 in fiscal year 2007-08 and \$168,900 for each fiscal year thereafter.