

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

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Legislative Document

No. 644

H.P. 493

House of Representatives, February 8, 2007

### An Act To Amend the Motor Vehicle Laws

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Reference to the Committee on Transportation suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative CHASE of Wells.  
Cosponsored by Senator NASS of York and  
Representatives: AUSTIN of Gray, EBERLE of South Portland, FISHER of Brewer,  
HOTHAM of Dixfield, KNIGHT of Livermore Falls, MAZUREK of Rockland, ROSEN of  
Bucksport, Senator: COURTNEY of York.

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

2 **Sec. 1. 29-A MRSA §1901**, as enacted by PL 1993, c. 683, Pt. A, §2 and as  
3 affected by Pt. B, §5, is amended to read:

4 **§1901. General restriction**

5 A person may not use, sell or equip a vehicle ~~with a lens, muffler, reflector, lighting~~  
6 ~~device, window tinting material or other~~ for use on a public way with aftermarket  
7 equipment contrary to this Title ~~or contrary to the rules of the Chief of the State Police.~~

8 **Sec. 2. 29-A MRSA §1912, sub-§1**, as enacted by PL 1993, c. 683, Pt. A, §2 and  
9 as affected by Pt. B, §5, is amended to read:

10 **1. Muffler required.** A person may not operate a motor vehicle unless that vehicle  
11 is equipped with an adequate muffler ~~properly maintained to prevent excessive or unusual~~  
12 ~~noise.~~

13 **Sec. 3. 29-A MRSA §1912, sub-§3**, as enacted by PL 1993, c. 683, Pt. A, §2 and  
14 as affected by Pt. B, §5, is repealed.

15 **Sec. 4. 29-A MRSA §1912, sub-§6**, as amended by PL 2005, c. 314, §11, is  
16 further amended to read:

17 **6. Exception.** ~~Subsections 1 and 3 do not apply to a~~ Δ muffler or exhaust system  
18 ~~that meets the requirements of this section if it~~ does not emit noise in excess of 95  
19 decibels as measured in accordance with standards and specifications outlined in standard  
20 J-1169 adopted by the Society of Automotive Engineers in May 1998. A person served  
21 with a Violation Summons and Complaint charging a violation of ~~subsection 1 or 3~~ this  
22 section must provide satisfactory evidence that the muffler or exhaust system does not  
23 emit a noise in excess of 95 decibels as measured in accordance with standards and  
24 specifications outlined in standard J-1169 adopted by the Society of Automotive  
25 Engineers in May 1998. Measurements must be made by participating certified  
26 inspection stations.

27 This subsection applies to motor vehicles as defined in section 101, subsection 42, except  
28 that it does not apply to motorcycles.

29 **Sec. 5. 29-A MRSA §1916, sub-§1, ¶C**, as enacted by PL 1993, c. 683, Pt. A, §2  
30 and as affected by Pt. B, §5, is amended to read:

31 C. A side window or rear window is composed of, covered by or treated with a  
32 material that ~~has~~ allows a net light transmittance of glass and material of less than  
33 ~~50%~~ 35%; or

34 **Sec. 6. 29-A MRSA §1916, sub-§2, ¶A**, as enacted by PL 1993, c. 683, Pt. A, §2  
35 and as affected by Pt. B, §5, is amended to read:

36 A. The provisions of subsection 1 do not apply to:

- 1 (1) A certificate or other paper required or allowed by law to be displayed, which  
2 must be removable for safety reasons when the vehicle is being driven on a  
3 public way;
- 4 (2) The label attached to a window showing the price, estimated mileage and  
5 other federally mandated information commonly known as the manufacturer's  
6 suggested retail price label, which must be removable for safety reasons when the  
7 vehicle is being driven on a public way;
- 8 (3) Sun-screening or window-tinting material along ~~a 4-inch strip at the AS 1~~  
9 line. For purposes of this paragraph, "AS 1 line" means a parallel line 5 inches  
10 from the top of the windshield; or
- 11 (4) Motor vehicles for which the Chief of the State Police has granted an  
12 exception because the health of the owner or a person who usually occupies the  
13 vehicle is adversely affected by sunlight. The Chief of the State Police may,  
14 upon proper application, provide the owner of a motor vehicle with a certificate  
15 of exemption that must be displayed upon the request of a law enforcement  
16 officer.

17 **Sec. 7. 29-A MRSA §1917, sub-§6**, as enacted by PL 2003, c. 146, §1, is  
18 amended to read:

19 **6. Wheels.** If the rim size has been altered, ~~the overall diameter of the wheel with~~  
20 ~~the tire must be within the vehicle manufacturer's specifications~~ a properly sized tire must  
21 be used. Street rods, custom vehicles and trucks are exempt from this subsection.

22 **Sec. 8. 29-A MRSA §1920, sub-§3**, as amended by PL 2005, c. 276, §2, is  
23 further amended to read:

24 **3. Suspension.** Except as provided in this subsection or in subsection 2, an original  
25 suspension system may not be disconnected to defeat the safe operation of the suspension  
26 system. This section does not prohibit the installation of heavy duty equipment,  
27 including shock absorbers and overload springs, or prohibit a person from operating on a  
28 public way a motor vehicle with normal wear of the suspension system if normal wear  
29 does not affect control of the vehicle.

## 30 SUMMARY

31 This bill makes several changes to the equipment requirements of the motor vehicle  
32 laws, including:

- 33 1. Making the prohibition of aftermarket equipment more general by removing the  
34 list of specific equipment as well as the prohibition on the sale of aftermarket equipment;
- 35 2. Removing the excessive or unusual noise prohibition on mufflers;
- 36 3. Removing the prohibition on operating a motor vehicle with a modified exhaust  
37 system that amplifies or increases motor noise;

- 1           4. Reduces from 50% to 35% the amount of light transmittance a tinted window may  
2 allow;
- 3           5. Requires that certificates and papers required by law and price and mileage labels  
4 that are displayed on windows be removable for safety reasons;
- 5           6. Expands by 1 inch the sun-screening or tinting material allowed at the top of a  
6 windshield;
- 7           7. Exempts street rods, custom vehicles and trucks from the requirement that the  
8 overall diameter of a wheel with altered rims be within the manufacturer's specifications;  
9 and
- 10          8. Limits the prohibition against removing suspension systems to when the purpose  
11 is to defeat the safe operation of the suspension system.