

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

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**Legislative Document**

**No. 1168**

S.P. 416

March 7, 2007

### **An Act To Amend New Motor Vehicle Laws Regarding Emission Standards**

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Reference to the Committee on Natural Resources suggested and ordered printed.

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator DAMON of Hancock.

Cosponsored by Senators: BARTLETT of Cumberland, President EDMONDS of Cumberland, STRIMLING of Cumberland, Representative: PATRICK of Rumford.

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

2             **Sec. 1. 29-A MRSA §402-A** is enacted to read:

3     **§402-A. California emission certification required prior to registration**

4             **1. Certification required.** A person may not register a new motor vehicle unless the  
5     person satisfies the Secretary of State that the motor vehicle is a California-emission  
6     certified vehicle. If the Secretary of State declines to enforce registration denial, then any  
7     such line-make vehicle may be sold in this State.

8             **2. Definitions.** As used in this section, unless the context otherwise indicates, the  
9     following terms have the following meanings.

10            A. "California-emission certified vehicle" means a vehicle that has a valid executive  
11     order from the California Air Resources Board and that meets the standards of the  
12     California Air Resources Board for motor vehicles for sale in California.

13            B. "Emergency vehicle" means any authorized vehicle publicly owned and operated  
14     that is used:

15                 (1) By a peace officer;

16                 (2) For fighting fires or responding to emergency fire calls;

17                 (3) By emergency medical technicians or paramedics;

18                 (4) For towing or servicing other vehicles; or

19                 (5) For repairing damaged lighting or electrical equipment.

20            C. "Heavy-duty motor vehicle" means a motor vehicle with a gross vehicle weight  
21     rating of 14,001 pounds or greater.

22            D. "Light-duty truck" means any 2000 or subsequent model year vehicle certified to  
23     standards in California Code of Regulations, Title 13, Section 1961(a)(1) rated at  
24     8,500 pounds gross vehicle weight or less and any other vehicle rated at 6,000 pounds  
25     gross vehicle weight or less that is designed primarily for purposes of transportation  
26     of property or is a derivative of such a vehicle or is available with special features  
27     enabling off-street or off-highway operation and use.

28            E. "Medium-duty vehicle" means any 2003 to 2006 model year heavy-duty low-  
29     emission, ultra-low-emission, super-ultra-low-emission or zero-emission vehicle  
30     certified to the standards in California Code of Regulations, Title 13, Section  
31     1956.8(g) or (h) or 1960.1(h)(2) having a manufacturer's gross vehicle weight rating  
32     of 14,000 pounds or less; any 2000 to 2003 model year heavy-duty vehicle certified  
33     to the standards in California Code of Regulations, Title 13, Section 1960.1(h)(1)  
34     having a manufacturer's gross vehicle weight rating of 14,000 pounds or less; and any  
35     2003 and subsequent model year heavy-duty low-emission, ultra-low-emission,  
36     super-ultra-low-emission or zero-emission vehicle certified to the standards in  
37     California Code of Regulations, Title 13, Section 1956.8(g) or (h), 1961(a)(1) or  
38     1962 having a manufacturer's gross vehicle weight rating between 8,501 and 14,000  
39     pounds.

F. "New motor vehicle" means a motor vehicle with 7,500 or fewer miles on its odometer that is a passenger car, a light-duty truck, a 2003 or subsequent model year medium-duty vehicle or a 2005 or subsequent model year heavy-duty vehicle.

**3. Method of establishing evidence of certification.** A person establishes that a motor vehicle is a California-emission certified vehicle by showing upon registration the motor vehicle's certificate of origin as described in section 653 or a certificate of emissions compliance form as developed and approved by the Department of Environmental Protection. The certificate of emissions compliance form must be signed by a representative of the automobile dealership where the motor vehicle was purchased.

**4. Exemptions.** The provisions of this section do not apply to:

A. A motor vehicle purchased by a resident outside the State to replace a vehicle that was damaged, was stolen or became inoperative while the resident and the motor vehicle were outside the State;

B. A motor vehicle that was transferred to a resident by inheritance;

C. A motor vehicle that was transferred to a resident by court decree;

D. A motor vehicle that was originally registered to a person while that person was a resident of another state and that person is now a resident of this State;

E. A motor vehicle registered to a resident serving in the Armed Forces of the United States who is stationed outside of the State; and

F. An emergency vehicle.

## SUMMARY

This bill prohibits a person from registering a new motor vehicle unless the person proves to the Secretary of State that the motor vehicle is a California-emission certified vehicle. This bill includes registration denial as an enforcement mechanism to prevent a resident from purchasing outside the State a motor vehicle that does not comply with the low-emission vehicle program described in the Maine Revised Statutes, Title 38, section 585-D and registering that motor vehicle in Maine.