

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

SECOND REGULAR SESSION-2008

Legislative Document

No. 2075

H.P. 1459

House of Representatives, December 21, 2007

An Act To Amend Motor Vehicle Laws

Submitted by the Secretary of State pursuant to Joint Rule 204.

Received by the Clerk of the House on December 19, 2007. Referred to the Committee on Transportation pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Millicent M. MacFarland

MILLICENT M. MacFARLAND

Clerk

Presented by Representative MARLEY of Portland.

Cosponsored by Senator DAMON of Hancock and

Representatives: FISHER of Brewer, HOGAN of Old Orchard Beach, MAZUREK of Rockland, MILLS of Farmington, TARDY of Newport, THERIAULT of Madawaska, Senator: PERRY of Penobscot.

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

2 **Sec. 1. 29-A MRSA §512, 2nd ¶**, as enacted by PL 1995, c. 645, Pt. B, §9, is
3 repealed and the following enacted in its place:

4 The Secretary of State may establish rules for the extension of registrations issued
5 pursuant to this section. Rules adopted pursuant to this section are routine technical rules
6 as defined in Title 5, chapter 375, subchapter 2-A.

7 **Sec. 2. 29-A MRSA §521, sub-§1**, as amended by PL 2003, c. 431, §§1 to 3, is
8 further amended to read:

9 **1. Definition.** "Person with a disability" means a person whose disability limits or
10 impairs the ability to walk, as determined and certified by a licensed physician, physician
11 assistant or, nurse practitioner or registered nurse, to the extent that the person:

- 12 A. Can not walk 200 feet without stopping to rest;
- 13 B. Can not walk without assistance from another person or the use of a brace, cane,
14 crutch, prosthetic device, wheelchair or other assistive device;
- 15 C. Is restricted by lung disease to such an extent that the person's forced expiratory
16 volume for one second when measured by spirometry is less than 1 liter or when the
17 arterial oxygen tension is less than 60mm/hg on room air at rest;
- 18 D. Uses portable oxygen;
- 19 E. Has a cardiac condition to the extent that the person's functional limitations are
20 classified in severity as Class 3 or Class 4 according to standards set by the American
21 Heart Association;
- 22 F. Is severely limited in the ability to walk due to an arthritic, neurological or
23 orthopedic condition; or
- 24 G. Is recovering from childbirth.

25 **Sec. 3. 29-A MRSA §521, sub-§5**, as amended by PL 2001, c. 35, §2, is further
26 amended to read:

27 **5. Application; issuance.** An application for a disability plate or placard must be
28 accompanied by the certificate of a physician, physician assistant or, nurse practitioner or
29 registered nurse attesting to that person's physical disability as defined in subsection 1.
30 The Secretary of State shall issue to an eligible applicant disability plates and windshield
31 placards upon request. Proof of a disability must be submitted every 4 years on a form
32 prescribed by the Secretary of State, except, when the Secretary of State determines the
33 disability to be permanent, the time may be extended. When the applicant's need for the
34 disability placard terminates or the applicant dies, the plate or placard must be
35 immediately returned to the Secretary of State.

36 **Sec. 4. 29-A MRSA §521, sub-§6, ¶A**, as amended by PL 2003, c. 431, §4, is
37 further amended to read:

1 A. An application for a temporary placard must be accompanied by the certificate
2 of a physician, physician assistant ~~or~~, nurse practitioner or registered nurse attesting
3 to the applicant's physical disability as defined in subsection 1 and the period of time
4 that the physician, physician assistant ~~or~~, nurse practitioner or registered nurse
5 determines the applicant will have the disability. A temporary placard is not valid for
6 a period of more than 6 months. The Secretary of State ~~must~~ shall give priority
7 consideration to requests for temporary placards.

8 A temporary placard issued pursuant to subsection 1, paragraph G is valid, after the
9 birth of a child, for a period of not more than:

10 (1) One week after cesarean section delivery; or

11 (2) A time to be determined by the patient's physician after the birth of a
12 preterm infant.

13 **Sec. 5. 29-A MRSA §603, sub-§1, ¶G**, as enacted by PL 1993, c. 683, Pt. A, §2
14 and affected by Pt. B, §5, is amended to read:

15 G. A duplicate certificate; ~~or~~

16 **Sec. 6. 29-A MRSA §603, sub-§1, ¶H**, as enacted by PL 1993, c. 683, Pt. A, §2
17 and affected by Pt. B, §5, is amended to read:

18 H. Assignment of a new vehicle identification number; ~~;~~

19 **Sec. 7. 29-A MRSA §603, sub-§1, ¶I** is enacted to read:

20 I. A 2nd or subsequent security interest noted on an application for certificate of title;

21 **Sec. 8. 29-A MRSA §603, sub-§1, ¶J** is enacted to read:

22 J. Filing an assignment of a security interest; or

23 **Sec. 9. 29-A MRSA §603, sub-§1, ¶K** is enacted to read:

24 K. An ordinary certificate of title issued on surrender of a distinctive certificate.

25 **Sec. 10. 29-A MRSA §603, sub-§2**, as enacted by PL 1993, c. 683, Pt. A, §2 and
26 affected by Pt. B, §5, is repealed.

27 **Sec. 11. 29-A MRSA §603, sub-§3-A**, as affected by PL 1995, c. 65, Pt. A, §153
28 and enacted by Pt. B, §9 and affected by Pt. C, §15, is amended to read:

29 **3-A. Immediate issuance of document.** An applicant requesting the immediate
30 issuance of a document described in subsection 1 ~~or 2~~ must pay an additional fee of \$10
31 and state the reason for the request. The Secretary of State shall determine if an
32 immediate issuance is warranted and process the request accordingly.

33 **Sec. 12. 29-A MRSA §2382, sub-§5**, as enacted by PL 1993, c. 683, Pt. A, §2
34 and affected by Pt. B, §5, is amended to read:

