

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

SECOND REGULAR SESSION-2008

Legislative Document

No. 2155

H.P. 1532

House of Representatives, January 15, 2008

An Act To Assist Maine's Forest Products Industry

(EMERGENCY)

Reference to the Committee on Transportation suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative MARLEY of Portland. (GOVERNOR'S BILL)
Cosponsored by Senator SCHNEIDER of Penobscot and
Representatives: BROWNE of Vassalboro, CEBRA of Naples, CLEARY of Houlton,
DUCHESNE of Hudson, FISHER of Brewer, HAYES of Buckfield, JACKSON of Allagash,
MAZUREK of Rockland, PEOPLES of Westbrook, PRATT of Eddington, THERIAULT of
Madawaska, THOMAS of Ripley, Senators: DAMON of Hancock, DIAMOND of
Cumberland, ROSEN of Hancock, SAVAGE of Knox, WESTON of Waldo.

1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** Maine is dependent on its natural resources-based economy; and

4 **Whereas,** the price of diesel fuel in Maine is at an all-time high and is devastating
5 the Maine economy, especially with regard to loggers and truckers carrying forest
6 products; and

7 **Whereas,** Governor John E. Baldacci has already issued a Declaration of Civil
8 Emergency regarding the high price of diesel fuel and its impact on the State's forest
9 products industry; and

10 **Whereas,** the Coalition to Lower Fuel Prices in Maine was recently established and
11 has been meeting to find solutions to the high price of diesel fuel; and

12 **Whereas,** an increase of the gross vehicle weight of 6-axle tractor-trailers of 5%
13 from 100,000 pounds to 105,000 pounds can be tolerated by Maine's roads and bridges
14 when allowed for a short duration; and

15 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
16 the meaning of the Constitution of Maine and require the following legislation as
17 immediately necessary for the preservation of the public peace, health and safety; now,
18 therefore,

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

20 **Sec. 1. 29-A MRSA §2357, sub-§7,** as amended by PL 2001, c. 513, §1, is
21 further amended to read:

22 **7. Penalty calculation; fine base and fine schedule.** When a weight tolerance
23 established in this section is exceeded, the difference between the actual weight and the
24 fine base for the tolerance must be used as the basis for determining the percentage of
25 overload in the appropriate fine schedule and the tolerance must be disregarded. For a 6-
26 axle combination vehicle described in subsection 4 that is registered for 100,000 pounds,
27 the fine base for the gross vehicle weight is 100,000 pounds and the fine schedule in
28 section 2354 applies. Violations for gross vehicle weight between 100,000 pounds and
29 105,000 pounds for a 6-axle combination vehicle that is registered for 100,000 pounds
30 carrying forest products are waived until April 1, 2008. For a 6-axle combination vehicle
31 described in subsection 4 that is registered for less than 100,000 pounds, the fine base for
32 gross vehicle weight is 90,000 pounds and the fine schedule in section 2360 applies. For
33 all other vehicles operating under the gross vehicle weight tolerances in subsection 2, and
34 for all vehicles operating under the axle unit weight tolerances in subsection 2, the fine
35 base is the appropriate limit in section 2353 and the fine schedule in section 2360 applies.

36 **Emergency clause.** In view of the emergency cited in the preamble, this
37 legislation takes effect when approved.

1

SUMMARY

2 This bill waives gross vehicle weight violations between 100,000 and 105,000
3 pounds for 6-axle combination vehicles registered for 100,000 pounds carrying forest
4 products until April 1, 2008.