

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 1383

S.P. 499

In Senate, April 2, 2009

**An Act To Provide Support to Municipal Government by Imposing
a Municipal Surcharge on Traffic Violations**

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BARTLETT of Cumberland.
Cosponsored by Representative: SANBORN of Gorham.

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

2 **Sec. 1. 29-A MRSA §2117** is enacted to read:

3 **§2117. Municipal surcharge**

4 In addition to every fine or forfeiture imposed pursuant to this Title, a \$30 municipal
5 surcharge is imposed for a traffic infraction or violation committed in this State. The
6 surcharge must be collected at the same time and in the same manner as other fines. The
7 surcharge collected pursuant to this section accrues to the municipality in which the
8 traffic infraction or violation occurred as provided in section 2602, subsection 4,
9 paragraph D and is not considered a fine or forfeiture for purposes of section 2602,
10 subsection 4, paragraphs A, B or C.

11 **Sec. 2. 29-A MRSA §2602, sub-§4, ¶B**, as amended by PL 2003, c. 498, §6 and
12 affected by §12, is further amended to read:

13 B. Of the fines and forfeitures collected for traffic infractions under sections 511,
14 2354, 2356, 2360, 2380, 2387 and 2388, 7% accrues to the General Fund, 6% accrues
15 to the Law Enforcement Agency Reimbursement Fund and the balance accrues to the
16 General Highway Fund; ~~and~~

17 **Sec. 3. 29-A MRSA §2602, sub-§4, ¶C**, as amended by PL 2003, c. 498, §6 and
18 affected by §12, is further amended to read:

19 C. Of the fines and forfeitures collected for violations other than traffic infractions
20 under sections 511, 2354, 2356, 2360, 2380, 2387 and 2388, only \$5 or 13%,
21 whichever is greater, accrues to the General Fund and the balance accrues to the
22 Highway Fund; ~~and~~

23 **Sec. 4. 29-A MRSA §2602, sub-§4, ¶D** is enacted to read:

24 D. The municipal surcharge collected pursuant to section 2117 accrues to the
25 municipality in which the violation occurred. Every 3 months, the Treasurer of State,
26 after subtraction of an administrative fee, shall pay to a municipality the municipal
27 surcharge collected on behalf of that municipality. The administrative fee imposed
28 by the Treasurer of State may not be greater than 2% of the amount collected on
29 behalf of the municipality.

30 **SUMMARY**

31 This bill imposes a \$30 municipal surcharge on every fine or forfeiture imposed for a
32 violation of the motor vehicle laws. The surcharge accrues to the municipality in which
33 the violation occurred, less a small administrative fee.