

MAINE STATE LEGISLATURE

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Date: 5-31-11

(Filing No. S-192)

TRANSPORTATION

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**STATE OF MAINE
SENATE
125TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 410, L.D. 1313, Bill, "An Act To Amend the Motor Vehicle Laws"

Amend the bill by inserting after the title and before the enacting clause the following:

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

Whereas, it is important to provide immediate relief to small business owners and automobile dealers in light of economic conditions through a moratorium on dealer plate reductions and dealer license denials for failure to sell the required number of motor vehicles as provided in statute; and

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

Amend the bill in section 1 in subsection 1 in the 7th line (page 1, line 10 in L.D.) by striking out the following: "Wildlife; the" and inserting the following: 'Wildlife; or the'

Amend the bill by striking out all of section 3 (page 2, lines 12 to 27 in L.D.) and inserting the following:

'Sec. 3. 29-A MRSA §456-A, sub-§8, as amended by PL 2007, c. 383, §3, is repealed and the following enacted in its place:

8. Eligibility; trucks. A lobster registration plate may be issued for:

A. A vehicle that qualifies for a specialty license plate under section 468, subsection 8; and

B. A truck registered under section 504, subsection 1.

Sec. 4. 29-A MRSA §460-A is enacted to read:

COMMITTEE AMENDMENT

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1 **§460-A. Honorary consul**

2 **1. Honorary consul registration plates authorized.** The Secretary of State, on
3 payment of taxes required in Title 36, section 1482, fees required in section 501,
4 subsection 1 and an additional fee equal to the cost of producing the plates, rounded to
5 the nearest dollar, and upon application shall issue one pair of specially designed number
6 plates for one designated motor vehicle owned or controlled by each honorary consul
7 who is a citizen or resident of the United States and authorized by the United States to
8 perform consular duties. The cost of producing the special plates is determined by the
9 bureau. A specially designed plate and its registration certificate may be used in place of
10 the regular plate and registration.

11 **2. Period of validity.** Honorary consul plates issued pursuant to subsection 1 are
12 valid only while the owner of the plates is authorized to perform consular duties.

13 **3. Design.** The Secretary of State shall determine the color, shape, size, lettering and
14 numbering of the honorary consul registration plates issued pursuant to subsection 1,
15 which must bear the words "Honorary Consul."

16 **Sec. 5. 29-A MRSA §468, sub-§10,** as enacted by PL 2007, c. 383, §5, is
17 amended to read:

18 **10. Additional versions or classes of the specialty plate.** ~~All requirements set forth~~
19 ~~in this section must be followed for each additional class or version of~~ The Secretary of
20 State may issue a specialty plate in a motorcycle or commercial vehicle class if:

21 A. At least 10,000 sets of the specialty plate have been issued for automobiles and
22 pickup trucks;

23 B. The sponsor of the specialty plate under this subsection provides a list of 500
24 names, dated signatures and current plate numbers of supporters who have signed a
25 statement declaring they intend to purchase and display the motorcycle or
26 commercial vehicle class of specialty license plate; and

27 C. The sponsor collects from each supporter who signs the statement under
28 paragraph B a contribution of \$25 for each set of plates and provides to the Secretary
29 of State the sum of these contributions in the amount of \$12,500, which is
30 nonrefundable.

31 Upon receipt of the \$12,500 provided under paragraph C, the Secretary of State shall
32 prepare enabling legislation and a proposed plate design for submission to the Legislature
33 and shall deposit the \$12,500 in the Specialty License Plate Fund established under
34 section 469.'

35 Amend the bill by striking out all of sections 7 to 10 and inserting the following:

36 **'Sec. 7. 29-A MRSA §513, sub-§1-A,** as enacted by PL 2005, c. 501, §1, is
37 amended to read:

38 **1-A. Registration required.** ~~Special~~ Except as provided in subsection 3, special
39 mobile equipment used on public ways, including, but not limited to, equipment that is
40 rented from a location in this State or outside this State, regardless of whether the main
41 office or headquarters of the owner of the equipment is located in this State or outside this
42 State, must be registered in this State in accordance with this chapter.

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1 **Sec. 8. 29-A MRSA §513, sub-§3** is enacted to read:

2 **3. Exemption from registration.** Special mobile equipment that is used exclusively
3 on the closed portion of a public way for the limited purposes of constructing or repairing
4 that public way and that is transported by another vehicle to and from the construction
5 project is exempt from registration under this chapter. For purposes of this subsection,
6 the special mobile equipment must be operated only within the boundaries of a closed
7 way. Notwithstanding section 1601, the owner or operator of special mobile equipment
8 that is exempt from registration pursuant to this subsection shall maintain the amounts of
9 financial responsibility specified in section 1605.

10 **Sec. 9. 29-A MRSA §515-B, sub-§4**, as enacted by PL 1999, c. 734, §1, is
11 amended to read:

12 **4. Recognition plates.** A Purple Heart recipient or the surviving spouse of a Purple
13 Heart recipient who does not operate a motorcycle or register a motorcycle and who
14 otherwise qualifies for the issuance of special Purple Heart motorcycle registration plates
15 may apply to the Secretary of State for a special single plate recognizing that award. The
16 Secretary of State shall design and identify these special single plates for recognition
17 purposes only. Special single plates may not be attached to a motorcycle. Only one plate
18 may be issued to each recipient ~~and a one-time fee of \$5 charged.~~

19 Amend the bill in section 11 in subsection 3-A in the 3rd line (page 4, line 21 in L.D.)
20 by striking out the following: "1482," and inserting the following: '1482; and'

21 Amend the bill in section 11 in subsection 3-A in the 4th line (page 4, line 22 in L.D.)
22 by striking out the following: "and a one-time additional fee of \$5 per registration" and
23 inserting the following: '~~and a one-time additional fee of \$5~~'

24 Amend the bill in section 12 in §524 in subsection 4 in the 6th blocked paragraph in
25 the last line (page 7, line 3 in L.D.) by striking out the following: "and a one-time fee of
26 \$5 charged" and inserting the following: '~~and a one-time fee of \$5 charged~~'

27 Amend the bill in section 20 by striking out all of paragraph A (page 8, lines 24 to 32
28 in L.D.) and inserting the following:

29 'A. The only allowable routes of travel are from the United States-Canada border in
30 Calais north on U.S. Route 1 to Access Road in Baileyville, east on Access Road to
31 Domtar Woodland Mill or its successor on Main Street and north on Main Street to
32 the Louisiana-Pacific Oriented Strand Board mill or its successor in Baileyville; from
33 the United States-Canada border in Madawaska then directly north or south into the
34 Fraser Papers facility or its successor in Madawaska or up Bridge Street to Mill Street
35 in Madawaska in order to reverse direction; and from the United States-Canada
36 border in Van Buren on Bridge Street, ~~east into the rail yard in Van Buren, located~~
37 ~~approximately 2/10 of one mile west to Main Street, also designated as Route 1, then~~
38 north on Main Street approximately 1 1/2 miles from the border.

39 Amend the bill by inserting at the end before the summary the following:

40 '**Sec. 22. Moratorium on dealer plate reduction and dealer license denial.**
41 Notwithstanding the Maine Revised Statutes, Title 29-A, section 903, from the effective
42 date of this section to December 31, 2012 the number of dealer plates lawfully possessed
43 by a motor vehicle dealer may not be reduced and a motor vehicle dealer may not be

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1 denied renewal of that dealer's license solely because of a failure to meet minimum sales
2 requirements under Title 29-A, section 903, subsection 3.

3 **Emergency clause.** In view of the emergency cited in the preamble, that section of
4 this Act that imposes a moratorium on dealer plate reduction and dealer license denial
5 takes effect when approved.'

6 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
7 section number to read consecutively.

8 **SUMMARY**

9 This amendment:

10 1. Clarifies that reports or records that contain intelligence and investigative
11 information and that are prepared by, prepared at the direction of or kept in the custody of
12 the criminal law enforcement unit of the Department of the Secretary of State, Bureau of
13 Motor Vehicles, office of investigations are confidential;

14 2. Deletes those sections of the bill that propose to consolidate special equipment
15 registration with trailer registration;

16 3. Revises the authorized route in Van Buren for United States-Canada border
17 weight permits;

18 4. Authorizes lobster registration plates for commercial motor vehicles;

19 5. Creates a registration plate for a person serving as an honorary consul;

20 6. Establishes a process for creating motorcycle and commercial vehicle specialty
21 plates for existing specialty plates with at least 10,000 active registrations;

22 7. Provides that special mobile equipment that is used exclusively on the closed
23 portion of a public way for the limited purposes of constructing or repairing that public
24 way and is transported by another vehicle to and from the construction project is exempt
25 from registration;

26 8. Eliminates the one-time \$5 administrative fee for Purple Heart motor vehicle and
27 motorcycle registration plates and veterans motorcycle registration plates; and

28 9. Establishes a moratorium on dealer plate reduction and dealer license denials, adds
29 an emergency preamble and emergency clause specifying that the moratorium takes
30 effect immediately and provides that the moratorium be in place until December 31,
31 2012.

32 **FISCAL NOTE REQUIRED**

33 (See attached)

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Approved: 05/23/11 *mac*



125th MAINE LEGISLATURE

LD 1313

LR 2048(02)

An Act To Amend the Motor Vehicle Laws

Fiscal Note for Bill as Amended by Committee Amendment "A" S-192

Committee: Transportation

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - Highway Fund
Minor revenue decrease - Highway Fund

Fiscal Detail and Notes

Additional costs to the Department of Secretary of State associated with establishing an honorary consul plate and increasing the weight limit for issuance of Medal of Honor, prisoner of war, Pearl Harbor survivor and Purple Heart medal recipient plates can be absorbed within existing budgeted resources. Highway Fund revenue may decrease by minor amounts not requiring any change to the budget from eliminating the one-time administrative fee for Purple Heart motor vehicle and motorcycle registration plates and veterans motorcycle registration plates.