

# MAINE STATE LEGISLATURE

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Date: 3/12/12

L.D. 1710  
(Filing No. H-763)

**TRANSPORTATION**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
125TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1262, L.D. 1710, Bill, "An Act To Amend the Motor Vehicle Laws"

Amend the bill in section 2 in §202 in the 2nd line (page 1, line 19 in L.D.) by striking out the following: "**nondriver identification card renewals and duplicates**" and inserting the following: ', **duplicates of noncommercial driver's license renewals and nondriver identification card renewals**'

Amend the bill in section 2 in §202 in the first paragraph in the 2nd and 3rd lines (page 1, lines 21 and 22 in L.D.) by striking out the following: ", nondriver identification card renewals and duplicates of those documents" and inserting the following: ', duplicates of noncommercial driver's license renewals and nondriver identification card renewals'

Amend the bill by inserting after section 2 the following:

'**Sec. 3. 29-A MRSA §456-F, sub-§6**, as enacted by PL 2007, c. 703, §10, is amended to read:

**6. Duplicate plates.** The Secretary of State shall issue an agriculture education plate in a 3-number and 3-letter combination sequence or in another sequence at the discretion of the Secretary of State. Vanity plates may not duplicate vanity plates issued in another class of plate.

**Sec. 4. 29-A MRSA §501, sub-§7, ¶G** is enacted to read:

G. The Secretary of State may issue unassigned temporary registration permits to a vehicle auction business licensed under section 1051 to allow the movement of a vehicle sold to a dealer.'

Amend the bill by inserting after section 3 the following:

'**Sec. 4. 29-A MRSA §664-A, sub-§5**, as enacted by PL 1997, c. 437, §20, is amended to read:

**COMMITTEE AMENDMENT**

1           **5. Sold at auction.** ~~A~~ Except for a vehicle sold to a dealer at a vehicle auction  
2 licensed under section 852, a vehicle that is sold or displayed for sale at an auction must  
3 be accompanied by a valid certificate of title or salvage at the time of its sale or display.  
4 ~~A salvage vehicle sold or displayed for sale at an auction or insurance salvage pool must~~  
5 ~~be accompanied by a valid certificate of salvage at the time of its sale or display for sale,~~  
6 ~~unless it is accompanied by a certificate of title from a jurisdiction that does not issue~~  
7 ~~certificates of salvage~~ The seller of a vehicle sold to a dealer at a vehicle auction licensed  
8 under section 852 must provide the purchasing dealer with a valid certificate of title or  
9 certificate of salvage within 30 days.

10           **Sec. 5. 29-A MRSA §952, sub-§1, ¶B,** as enacted by PL 1993, c. 683, Pt. A, §2  
11 and affected by Pt. B, §5, is amended to read:

12           B. A repair department for repair of 2 vehicles ~~simultaneously~~;

13           **Sec. 6. 29-A MRSA §954, sub-§5,** as amended by PL 2007, c. 273, Pt. B, §5 and  
14 c. 306, §7 and affected by c. 695, Pt. A, §47, is further amended to read:

15           **5. Transporter.** A garage owner, body shop, finance company, bank, motor vehicle  
16 auction business, motor vehicle rental company, recycler or repossession company  
17 licensed by the Bureau of Consumer Credit Protection or any public or nonprofit  
18 organization as described in section 951, subsection 4 may be issued transporter plates  
19 and a license to transport a vehicle owned by or in the custody of that owner or business.

20           A. The holder may use this plate only if the vehicle is accompanied by the owner or  
21 the owner's employee.

22           B. A transporter plate may not be:

23                 (1) Used in lieu of registration plates;

24                 (2) Loaned to another;

25                 (3) Used for personal reasons; or

26                 (4) Used on a towing vehicle, except for a drive-away saddlemount vehicle  
27 transporter combination.

28           **Sec. 7. 29-A MRSA §1311, sub-§2,** as enacted by PL 2003, c. 286, §4, is  
29 amended to read:

30           **2. Period of restrictions.** ~~Unless extended~~ Subject to section 2116 and subject to  
31 extension pursuant to subsection 3, the license restrictions in subsection 1 are in effect for  
32 a period of 180 days from license issuance.'

33           Amend the bill in section 10 in paragraph A in the 4th line (page 4, line 22 in L.D.)  
34 by striking out the following: "an instructor" and inserting the following: 'instructor 2  
35 instructors'

36           Amend the bill by inserting after section 14 the following:

37           **'Sec. 15. 29-A MRSA §2357, sub-§1, ¶A,** as enacted by PL 1993, c. 683, Pt. A,  
38 §2 and affected by Pt. B, §5, is amended to read:

1 A. A vehicle loaded entirely with building materials that absorb moisture during  
2 delivery ~~originating and terminating within the State~~, bark, sawdust, firewood, sawed  
3 lumber, dimension lumber, pulpwood, wood chips, logs, soil, unconsolidated rock  
4 material including limestone, bolts, farm produce, road salt, manufacturer's concrete  
5 products, solid waste or incinerator ash;'

6 Amend the bill in section 15 in the 3rd line (page 5, line 15 in L.D.) by striking out  
7 the following: "The" and inserting the following: 'Notwithstanding Title 5, section 8071,  
8 subsection 2, paragraph A, the'

9 Amend the bill by striking out all of section 16 (page 5, lines 19 to 41 and page 6,  
10 lines 1 to 18 in L.D.)

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

### 13 SUMMARY

14 This amendment:

15 1. Clarifies that agents authorized by the Secretary of State to issue noncommercial  
16 driver's license renewals and nondriver identification card renewals may issue duplicates  
17 of noncommercial driver's license renewals but not duplicates of nondriver identification  
18 card renewals as stated in the bill;

19 2. Authorizes the Secretary of State to issue an agriculture education plate in another  
20 sequence in addition to a 3-number and 3-letter sequence at the discretion of the Secretary  
21 of State;

22 3. Authorizes the Secretary of State to issue unassigned temporary registration  
23 permits to a licensed auction business when the licensed auction business sells a vehicle  
24 to a dealer;

25 4. Allows a vehicle to be sold at a licensed dealer auction to a licensed dealer prior to  
26 the dealer's possessing the title and clarifies that the licensed dealer may take possession  
27 of the vehicle;

28 5. Removes the provision that to qualify for a dealer license an applicant must  
29 maintain a repair department for the repair of 2 vehicles simultaneously;

30 6. Allows a motor vehicle rental company to be issued transporter plates and a  
31 license to transport a vehicle owned by or in the custody of that business or its owner;

32 7. Clarifies that a person under 18 years of age who has been issued a driver's license  
33 may not use a handheld electronic device while operating a motor vehicle, whether or not  
34 that person has an intermediate license;

35 8. Clarifies that the Technical Review Panel, which assists the Secretary of State in  
36 developing driver education curriculum and instructor training and certification, includes  
37 2 instructors;

38 9. Clarifies that the Secretary of State, in consultation with the Commissioner of  
39 Transportation, is directed and authorized to establish a fee schedule, by routine technical  
40 rulemaking, for vehicles covered by long-term overlit movement permits;





# 125th MAINE LEGISLATURE

LD 1710

LR 2643(02)

An Act To Amend the Motor Vehicle Laws

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-763)  
Committee: Transportation  
Fiscal Note Required: Yes

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## Fiscal Note

Minor cost increase - Highway Fund

### Fiscal Detail and Notes

Additional costs to the Departments of Secretary of State and Transportation associated with rulemaking can be absorbed within existing budgeted resources.