

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 472

H.P. 322

House of Representatives, February 14, 2013

An Act To Allow Properly Lifted Vehicles To Operate

Reference to the Committee on Transportation suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative GILLWAY of Searsport.

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

2 **Sec. 1. 29-A MRSA §1920, sub-§3,** as amended by PL 2005, c. 276, §2, is
3 further amended to read:

4 **3. Suspension.** Except as provided in this subsection or in subsection 2 or 4, an
5 original suspension system may not be disconnected. This section does not prohibit the
6 installation of heavy duty equipment, including shock absorbers and overload springs, or
7 prohibit a person from operating on a public way a motor vehicle with normal wear of the
8 suspension system if normal wear does not affect control of the vehicle.

9 **Sec. 2. 29-A MRSA §1920, sub-§§4 to 6** are enacted to read:

10 **4. Suspension lifting.** The owner or operator of a motor vehicle that has been
11 modified to lift the suspension to a height higher than the height at which the vehicle was
12 originally manufactured shall acquire a suspension lift certificate and shall show the
13 certificate to an inspection mechanic at the time of inspection. A vehicle may be modified
14 to lift its suspension to a height higher than the height at which the vehicle was originally
15 manufactured only by a person authorized by the Chief of the State Police pursuant to this
16 subsection.

17 The Chief of the State Police may authorize a person to modify a motor vehicle
18 suspension and to determine compliance with this subsection. An authorized person who
19 modifies a motor vehicle suspension under this subsection shall issue a suspension lift
20 certificate to the owner or operator of the motor vehicle that certifies that the motor
21 vehicle complies with the suspension lift standards under this section.

22 Upon request, the Bureau of State Police shall provide suspension lift certificates to a
23 person authorized to issue a certificate under this subsection. Suspension lift certificates
24 provided by the Bureau of State Police in accordance with this subsection remain the
25 property of the State.

26 A person authorized to issue a suspension lift certificate under this subsection who is
27 adjudicated of a violation of this section or files an answer of "not contested" to a
28 summons for a violation of this section shall return all unissued suspension lift
29 certificates to the Bureau of State Police within 10 days of adjudication or of filing the
30 answer. The Bureau of State Police may not provide that person with suspension lift
31 certificates for a period of 6 months after the date of adjudication or filing an answer of
32 "not contested."

33 If the operator of a motor vehicle with a suspension lifted higher than the height at which
34 the vehicle was originally manufactured fails to produce a suspension lift certificate under
35 this subsection on the request of a law enforcement officer, it is presumed that the motor
36 vehicle does not meet the requirements of this section.

37 **5. Violations.** A person may not:

38 A. Modify the suspension of a motor vehicle in violation of subsection 4;

- 1 B. Fail to issue a suspension lift certificate as required by subsection 4 after
2 modifying a motor vehicle to lift the vehicle's suspension higher than the height at
3 which the vehicle was originally manufactured;
- 4 C. Alter the height of a motor vehicle's suspension after a suspension lift certificate
5 has been issued pursuant to subsection 4 and then display the certificate as proof that
6 the suspension meets the standards of subsection 4;
- 7 D. Display or permit to be displayed a suspension lift certificate, knowing the
8 certificate to be fictitious or issued to another motor vehicle or issued without the
9 motor vehicle meeting the standards of subsection 4;
- 10 E. Knowingly cause a suspension lift certificate to be issued for a motor vehicle that
11 does not meet the standards of subsection 4;
- 12 F. Operate or cause the operation of a motor vehicle that does not meet the
13 requirements of this section; or
- 14 G. Fail to return all unissued suspension lift certificates to the Bureau of State Police
15 in accordance with subsection 4.
- 16 **6. Rules.** The Chief of the State Police may adopt rules to carry out the purposes of
17 this section. Rules adopted pursuant to this subsection are routine technical rules
18 pursuant to Title 5, chapter 375, subchapter 2-A.

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SUMMARY

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This bill allows a motor vehicle to have its suspension modified to be higher than the height at which the vehicle was originally manufactured if the modification is performed by a person authorized by the Chief of the State Police. An authorized person who modifies a suspension to be higher than the height at which the motor vehicle was originally manufactured is required to issue a suspension lift certificate to the owner or operator of the vehicle, who is required to present the certificate to a mechanic performing an annual inspection of the vehicle. If a person who owns or operates a motor vehicle that has a suspension at a height higher than the height at which the vehicle was originally manufactured fails to produce a suspension lift certificate on request of a law enforcement officer, it is presumed that the motor vehicle does not have a suspension lift certificate.