

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 570

H.P. 389

House of Representatives, February 19, 2013

An Act To Create a Vintage Car Category in the Motor Vehicle Laws

Reference to the Committee on Transportation suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative COTTA of China.
Cosponsored by Senator KATZ of Kennebec and
Representatives: CASAVANT of Biddeford, HOBBS of Saco, KESCHL of Belgrade,
KRUGER of Thomaston, NUTTING of Oakland.

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

2 **Sec. 1. 29-A MRSA §101, sub-§3, ¶A,** as enacted by PL 1993, c. 683, Pt. A, §2
3 and affected by Pt. B, §5, is amended to read:

4 A. More than ~~25~~ 50 years old;

5 **Sec. 2. 29-A MRSA §101, sub-§91-A** is enacted to read:

6 **91-A. Vintage auto.** "Vintage auto" means an automobile or truck manufactured in
7 or after model year 1916 that is:

8 A. More than 25 years old but less than 51 years old;

9 B. Equipped with an engine manufactured either at the same time as the vehicle or to
10 the specifications of the original engine;

11 C. Substantially maintained in original or restored condition primarily for use in
12 exhibitions, club activities, parades or other functions of public interest;

13 D. Not used as its owner's primary mode of transportation of passengers or goods;

14 E. Not a reconstructed vehicle; and

15 F. Not an altered vehicle.

16 **Sec. 3. 29-A MRSA §457,** as amended by PL 2005, c. 34, §§1 and 2 and c. 321,
17 §§2 and 3 and affected by §6, is further amended to read:

18 **§457. Antique and vintage vehicle registration plates**

19 **1. Antique and vintage vehicle registration plates authorized.** The Secretary of
20 State may issue registration plates for antique autos, vintage autos, custom vehicles,
21 horseless carriages, street rods or antique motorcycles. These plates must bear the
22 inscription "Maine" and the inscription "Antique Auto," "Vintage Auto," "Custom
23 Vehicle," "Horseless Carriage" or "Street Rod" or, for antique motorcycles, the
24 inscription "Antique."

25 **3. Contemporary plates.** An owner of an antique auto, vintage auto, horseless
26 carriage, street rod or antique motorcycle may use registration plates that were issued in
27 the same year the antique or vintage vehicle was manufactured, as long as the motor
28 vehicle:

29 A. Is over 25 years old;

30 B. Is registered as an antique or vintage vehicle; and

31 C. Carries a valid antique or vintage motor vehicle registration certificate and plates.

32 **4. Display of contemporary plates.** Contemporary registration plates must have
33 matching plate numbers, be affixed to both the front and rear and conspicuously bear the
34 year of manufacture.

1 **5. Street rod standards.** The Chief of the State Police shall establish standards to
2 qualify vehicles as street rods. These standards include:

- 3 A. The age of the vehicle;
- 4 B. The equipment and its condition; and
- 5 C. Permissible modifications.

6 **6. Application.** An application for registration of a vehicle under this section must
7 be accompanied by an affidavit that includes a statement indicating the year and make of
8 the motor vehicle and that the vehicle is garaged or maintained in the State.

9 **7. Registration fee.** The fee for registration of an antique auto, vintage auto,
10 horseless carriage or antique motorcycle is \$15. The fee for registration of a street rod is
11 \$30.

12 **Sec. 4. 29-A MRSA §651, sub-§3,** as amended by PL 2011, c. 356, §15, is
13 further amended to read:

14 **3. Warranty title; antique auto; vintage auto; horseless carriage; antique**
15 **motorcycle; classic vehicle.** The Secretary of State may, on documented and notarized
16 evidence of ownership and payment of a \$40 fee, issue a warranty title to a Maine
17 resident owner of an antique auto, vintage auto, horseless carriage, antique motorcycle or
18 classic vehicle. A warranty title denotes that there are no known liens or encumbrances
19 against the vehicle.

20 **Sec. 5. 29-A MRSA §1252, sub-§1, ¶C,** as amended by PL 2011, c. 165, §1, is
21 further amended to read:

22 C. A Class C license may be issued for the operation of a single vehicle or a
23 combination of vehicles that does not meet the definition of Class A or Class B
24 license.

25 A holder of a Class C license may, with an appropriate endorsement, operate all
26 vehicles in that class.

27 A Class C license authorizes:

28 (1) A full-time or volunteer member of an organized municipal, state or federal
29 fire department and a law enforcement officer who is a member of an organized
30 municipal, state or federal law enforcement department to operate fire apparatus
31 as described in 49 Code of Federal Regulations, Section 383.3 (2005) and to
32 operate a commercial motor vehicle as a mobile command unit. For purposes of
33 this subparagraph, "mobile command unit" means a motor vehicle designed and
34 used by a law enforcement agency primarily as a command and control platform
35 for emergency response;

36 (2) A person to operate recreational vehicles for personal use;

37 (3) A person to operate commercial motor vehicles for military purposes as
38 required in 49 Code of Federal Regulations, Section 383.3 (2005);

- 1 (4) A person to operate registered farm motor trucks bearing the letter "F" on the
2 registration plate when the vehicle is:
- 3 (a) Controlled and operated by a farmer, including operation by the farmer's
4 employees or family members;
- 5 (b) Used to transport agricultural products, farm machinery or farm supplies
6 to or from a farm;
- 7 (c) Not used in the operation of a common or contract motor carrier; and
8 (d) Used within 150 miles of the registered owner's farm;
- 9 (5) A person, employed by a city, town, county, district or other unit of local
10 government created by or pursuant to law that has a total population of 3,000
11 individuals or less, to operate a commercial motor vehicle within the boundaries
12 of that unit of local government for the purpose of removing snow or ice from a
13 roadway by plowing, sanding or salting, if:
- 14 (a) The properly licensed employee who ordinarily operates a commercial
15 motor vehicle for those purposes is unable to operate the vehicle; or
- 16 (b) The employing governmental entity determines that a snow or ice
17 emergency exists that requires additional assistance; or
- 18 (6) A person to operate a truck registered as an antique ~~automobile~~ auto or
19 vintage auto, regardless of weight or combination weight, provided the vehicle is
20 used for noncommercial recreational purposes or purposes pursuant to section
21 101, subsection 3.

22 **Sec. 6. 29-A MRSA §1751, sub-§5** is enacted to read:

23 **5. Vintage autos.** A vintage auto registered under section 457 must receive a
24 biennial inspection based upon standards determined by the Chief of the State Police.

25 **Sec. 7. 29-A MRSA §2111, sub-§2**, as enacted by PL 1993, c. 683, Pt. A, §2 and
26 affected by Pt. B, §5, is amended to read:

27 **2. Prohibition.** A person commits a Class E crime if that person operates a motor
28 vehicle, except for an antique auto, vintage auto, a motor vehicle using liquefied
29 petroleum gas as engine fuel or a farm tractor, on a public way if any operational element
30 of the air pollution control system of that vehicle has been removed, dismantled or
31 otherwise rendered inoperative.

32 **Sec. 8. 30-A MRSA §3752, sub-§1, ¶A**, as amended by PL 2005, c. 424, §1, is
33 further amended to read:

34 A. "Automobile graveyard" does not include:

35 (1) An area used for temporary storage of vehicles or vehicle parts by an
36 establishment or place of business that is primarily engaged in doing vehicle
37 repair work to make repairs to render a motor vehicle serviceable. In order for a
38 vehicle's storage to be considered temporary, it must be removed from the site
39 within 180 calendar days of its receipt;

- 1 (2) An area used by an automobile hobbyist to store, organize, restore or display
2 antique autos, vintage autos, antique motorcycles, classic vehicles, horseless
3 carriages, reconstructed vehicles, street rods or parts of these vehicles as these
4 vehicles are defined in Title 29-A, section 101 as long as the hobbyist's activities
5 comply with all applicable federal and state statutes and rules and municipal
6 ordinances, other than ordinances that are more restrictive than this subsection
7 regarding the storage of vehicles or vehicle parts that are collected by a hobbyist,
8 except that a municipal ordinance may require areas used by an automobile
9 hobbyist to comply with the screening requirements in section 3754-A,
10 subsection 1, paragraph A and the standards in section 3754-A, subsection 5,
11 paragraph A, paragraph B, subparagraph (1) and paragraph C. For the purposes
12 of this subparagraph, an automobile hobbyist is a person who is not primarily
13 engaged in the business of selling any of those vehicles or parts from those
14 vehicles;
- 15 (3) An area used for the parking or storage of vehicles, vehicle parts or
16 equipment intended for use by a municipality, quasi-municipal entity or state or
17 federal agency;
- 18 (4) An area used for the storage of operational farm tractors and related farm
19 equipment, log skidders, logging tractors or other vehicles exempted from
20 registration under Title 29-A, chapter 5;
- 21 (5) An area used for the parking or storage of vehicles or equipment being
22 offered for sale by a dealer, equipment dealer, trailer dealer or vehicle auction
23 business as defined in Title 29-A, section 851;
- 24 (6) An area used for the storage of vehicles by an establishment or place of
25 business that is primarily engaged in business as a new vehicle dealer as defined
26 in Title 29-A, section 851;
- 27 (7) An area used for temporary storage of vehicles by an establishment or place
28 of business that is primarily engaged in business as an insurance salvage pool. In
29 order for a vehicle's storage to be considered temporary under this subparagraph,
30 the vehicle must be removed from the site within 180 days of receipt of title by
31 the business; or
- 32 (8) An area used for the parking or storage of operational commercial motor
33 vehicles, special equipment or special mobile equipment as defined in Title 29-A,
34 section 101 that is temporarily out of service but is expected to be used by the
35 vehicle or equipment owner or by an operator designated by the owner. This
36 subsection does not exempt an area used for the parking or storage of equipment
37 or vehicles that are not operational while stored or parked in the area.

38 **SUMMARY**

39 This bill creates a new vehicle registration category called "vintage auto" for a motor
40 vehicle more than 25 years old but less than 51 years old. The vintage auto must be
41 inspected biennially.