

# MAINE STATE LEGISLATURE

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# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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Legislative Document

No. 780

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H.P. 531

House of Representatives, February 28, 2013

**An Act To Reduce Conflicts of Interest in the Motor Vehicle  
Inspection Program**

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Reference to the Committee on Transportation suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative KUMIEGA of Deer Isle.  
Cosponsored by Representatives: BLACK of Wilton, HARLOW of Portland, RUSSELL of  
Portland.

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

2 **Sec. 1. 29-A MRSA §1751, sub-§3-A, ¶¶A to C**, as enacted by PL 2001, c.  
3 234, §2, are amended to read:

4 A. For inspections performed under subsection 2, the fee may not be more than  
5 ~~\$12.50~~ \$20;

6 B. For inspections of pre-1996 model vehicles performed under subsection 2-A, the  
7 fee may not be more than ~~\$15.50~~ \$23; and

8 C. For inspections of 1996 and subsequent model vehicles performed under  
9 subsection 2-A, the fee may not be more than ~~\$18.50~~ \$26.

10 **Sec. 2. 29-A MRSA §1769, sub-§3** is enacted to read:

11 **3. Cost-benefit analysis of rules.** The Chief of the State Police, prior to the  
12 adoption of any rule governing the motor vehicle inspection program, shall conduct an  
13 analysis, as described in Title 5, section 8063-A, of the benefits and costs of the proposed  
14 rule to evaluate the effects of the rule, including but not limited to additional costs to  
15 motorists and public safety improvements, on the distribution of benefits and costs for  
16 specific groups and on the overall economic welfare of the State. The Chief of the State  
17 Police may not adopt a proposed rule if upon completion of the cost-benefit analysis the  
18 Chief of the State Police determines that the cost of the proposed rule is greater than the  
19 benefit of the proposed rule.

20 **Sec. 3. Chief of State Police to amend rules governing inspection station**  
21 **licensee.** The Chief of the State Police, as authorized by the Maine Revised Statutes,  
22 Title 29-A, section 1769, shall amend Department of Public Safety, Bureau of State  
23 Police rules governing the responsibilities of an inspection station licensee to prohibit an  
24 inspection station licensee from paying commissions to an inspection technician for  
25 additional sales resulting from a motor vehicle inspection. Rules adopted pursuant to this  
26 section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

27 **SUMMARY**

28 This bill increases the maximum amount charged for vehicle inspections by \$7.50.  
29 The bill also directs the Chief of the State Police to amend rules governing the  
30 responsibilities of an inspection station licensee to prohibit an inspection station licensee  
31 from paying commissions to an inspection technician for additional sales resulting from a  
32 motor vehicle inspection.

33 The bill also requires the Chief of the State Police, prior to the adoption of a rule  
34 governing the motor vehicle inspection program, to weigh the additional costs to  
35 motorists against any public safety improvements from new inspection requirements and  
36 to not enact new rules unless the safety benefits outweigh the costs.