

# MAINE STATE LEGISLATURE

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# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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Legislative Document

No. 943

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S.P. 320

In Senate, March 7, 2013

### **An Act To Amend Provisions of the Law Pertaining to Motor Vehicles**

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Submitted by the Department of Public Safety pursuant to Joint Rule 204.  
Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator MAZUREK of Knox.  
Cosponsored by Representative PARRY of Arundel.

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

2 **Sec. 1. 25 MRSA §2106-A**, as amended by PL 1983, c. 862, §73, is repealed and  
3 the following enacted in its place:

4 **§2106-A. Penalties**

5 A person who violates this chapter or a rule adopted pursuant to this chapter commits  
6 a Class D crime, except that if the violation is discovered during a routine compliance  
7 review as defined in 49 Code of Federal Regulations, Part 385.3, the violation is a civil  
8 violation.

9 A civil violation under this section is subject to a fine, which must be determined  
10 with due consideration of the Federal Motor Carrier Safety Administration's uniform fine  
11 assessment program.

12 **Sec. 2. 29-A MRSA §101, sub-§42**, as amended by PL 2005, c. 577, §5, is  
13 further amended to read:

14 **42. Motor vehicle.** "Motor vehicle" means a self-propelled vehicle not operated  
15 exclusively on railroad tracks, but does not include:

- 16 A. A snowmobile as defined in Title 12, section 13001;
- 17 B. An all-terrain vehicle as defined in Title 12, section 13001, unless the all-terrain  
18 vehicle is permitted in accordance with section 501, subsection 8 or is operated on a  
19 way and section 2080 applies; and
- 20 C. A motorized wheelchair or an electric personal assistive mobility device.

21 **Sec. 3. 29-A MRSA §101, sub-§80**, as enacted by PL 1993, c. 683, Pt. A, §2 and  
22 affected by Pt. B, §5, is repealed.

23 **Sec. 4. 29-A MRSA §101, sub-§86**, as enacted by PL 1993, c. 683, Pt. A, §2 and  
24 affected by Pt. B, §5, is amended to read:

25 **86. Trailer.** "Trailer" means a vehicle without motive power, designed to carry  
26 persons or property and to be drawn by a motor vehicle, not operated on railroad tracks,  
27 and so constructed that no part of its weight rests upon the towing vehicle. "Trailer" does  
28 not include tow dollies.

29 **Sec. 5. 29-A MRSA §101, sub-§91**, as amended by PL 2003, c. 414, Pt. B, §44  
30 and affected by c. 614, §9, is further amended to read:

31 **91. Vehicle.** "Vehicle" means a device for conveyance of persons or property on a  
32 way. "Vehicle" does not include conveyances propelled or drawn by human power or  
33 used exclusively on railroad tracks or snowmobiles as defined in Title 12, section 13001  
34 or an electric personal assistive mobility device ~~as defined in this section.~~

35 **Sec. 6. 29-A MRSA §351, sub-§1, ¶A**, as amended by PL 2001, c. 671, §3, is  
36 further amended to read:

1 A. A traffic infraction for which a ~~forfeiture~~ fine of not more than \$50 may be  
2 adjudged if the vehicle was registered and the registration has been expired for more  
3 than 30 days but less than 150 days; or

4 **Sec. 7. 29-A MRSA §351, sub-§6** is enacted to read:

5 **6. Improper registration.** A traffic infraction for which a fine of not less than \$200  
6 nor more than \$1,000 may be adjudged if the vehicle is not properly registered. For  
7 purposes of this paragraph, a vehicle is not properly registered if that vehicle's registration  
8 is not reflective of its current actual use or its motor vehicle type.

9 **Sec. 8. 29-A MRSA §2077**, as enacted by PL 1993, c. 683, Pt. A, §2 and affected  
10 by Pt. B, §5, is amended to read:

11 **§2077. Working on ways**

12 Sections 2051, 2053, 2055, 2056, 2066, 2068 and 2076 do not apply to a person,  
13 ~~team~~, motor vehicle and other equipment actually engaged in work on the surface of a  
14 public way, but ~~does~~ do apply to such a person and vehicle when traveling to or from  
15 such work.

## 16 SUMMARY

17 This bill amends various provisions of the motor vehicle laws.

18 It provides that a person who violates the Maine Revised Statutes, Title 25, chapter  
19 256 pertaining to the transport of hazardous materials, or a rule adopted pursuant to that  
20 chapter, commits a Class D crime, unless the violation is discovered during a routine  
21 compliance review. If the violation is discovered during a routine compliance review, the  
22 violation is a civil violation.

23 It amends the definition of "motor vehicle" to clarify that the term means a  
24 self-propelled vehicle not operated exclusively on railroad tracks.

25 It repeals the definition of "team" in Title 29-A, section 101.

26 It creates the traffic infraction of failing to properly register a motor vehicle as to its  
27 current actual use or motor vehicle type.