

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)



128th MAINE LEGISLATURE

SECOND REGULAR SESSION-2018

Legislative Document

No. 1692

H.P. 1172

House of Representatives, December 22, 2017

An Act To Amend the Motor Vehicle Laws

Submitted by the Secretary of State pursuant to Joint Rule 203.

Received by the Clerk of the House on December 19, 2017. Referred to the Committee on Transportation pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative McLEAN of Gorham.

Cosponsored by Representatives: GILLWAY of Searsport, HARRINGTON of Sanford, LONGSTAFF of Waterville, WHITE of Washburn, Senators: DILL of Penobscot, JACKSON of Aroostook, MIRAMANT of Knox.

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

2 **Sec. 1. 29-A MRSA §456, sub-§1**, as amended by PL 1995, c. 645, Pt. A, §2 and
3 affected by §18, is further amended to read:

4 **1. University of Maine System plate.** The Secretary of State, upon receiving an
5 application and evidence of payment of the excise tax required by Title 36, section 1482,
6 the registration fee required by section 501 or section 504 and the administrative fee and
7 voluntary contribution provided for in subsection 2, shall issue a registration certificate
8 and a set of University of Maine System registration plates to be used in lieu of regular
9 registration plates. These plates must bear identification numbers and letters.

10 **Sec. 2. 29-A MRSA §456, sub-§1-A** is enacted to read:

11 **1-A. Weight limit.** University of Maine System plates may be issued for a motor
12 vehicle that does not exceed 26,000 pounds registered weight. A motor vehicle that
13 exceeds 6,000 pounds registered weight is subject to the fees in section 504.

14 **Sec. 3. 29-A MRSA §456-A, sub-§1**, as amended by PL 2009, c. 435, §2, is
15 further amended to read:

16 **1. Lobster plates.** The Secretary of State, upon receiving an application and
17 evidence of payment of the excise tax required by Title 36, section 1482, the annual
18 motor vehicle registration fee required by section 501 or section 504 and the contribution
19 provided for in subsection 2, shall issue a registration certificate and a set of lobster
20 special registration plates to be used in lieu of regular registration plates. These plates
21 must bear identification numbers and letters. The Secretary of State may issue lobster
22 plates to certain state-owned vehicles in accordance with section 517.

23 **Sec. 4. 29-A MRSA §456-A, sub-§1-A** is enacted to read:

24 **1-A. Weight limit.** Lobster special registration plates may be issued for a motor
25 vehicle that does not exceed 26,000 pounds registered weight. A motor vehicle that
26 exceeds 6,000 pounds registered weight is subject to the fees in section 504.

27 **Sec. 5. 29-A MRSA §456-A, sub-§8**, as amended by PL 2015, c. 473, §§5 and 6,
28 is repealed.

29 **Sec. 6. 29-A MRSA §456-B, sub-§1**, as enacted by PL 2001, c. 623, §4, is
30 amended to read:

31 **1. Maine Black Bears plates.** The Secretary of State, upon receiving an application
32 and evidence of payment of the excise tax required by Title 36, section 1482, the annual
33 motor vehicle registration fee required by section 501 or section 504 and the contribution
34 provided for in subsection 2, shall issue a registration certificate and a set of Maine Black
35 Bears special registration plates to be used in lieu of regular registration plates. These
36 plates must bear identification numbers and letters.

37 **Sec. 7. 29-A MRSA §456-B, sub-§1-A** is enacted to read:

1 **1-A. Weight limit.** Maine Black Bears special registration plates may be issued for
2 a motor vehicle that does not exceed 26,000 pounds registered weight. A motor vehicle
3 that exceeds 6,000 pounds registered weight is subject to the fees in section 504.

4 **Sec. 8. 29-A MRSA §456-B, sub-§8,** as amended by PL 2007, c. 383, §4, is
5 repealed.

6 **Sec. 9. 29-A MRSA §456-C, sub-§1,** as amended by PL 2013, c. 496, §4, is
7 further amended to read:

8 **1. Sportsman registration plates.** The Secretary of State, upon receiving an
9 application and evidence of payment of the registration fee required by section 501 or
10 section 504 and the excise tax required by Title 36, section 1482, shall issue a registration
11 certificate and a set of sportsman plates to be used in lieu of regular registration plates.
12 These plates must bear identification numbers and letters. Vanity plates may not
13 duplicate vanity plates issued in another class of plate. The Secretary of State shall begin
14 issuing sportsman registration plates by April 1, 2008. Sportsman vanity plates are issued
15 in accordance with this section and section 453.

16 **Sec. 10. 29-A MRSA §456-C, sub-§1-A** is enacted to read:

17 **1-A. Weight limit.** Sportsman registration plates may be issued for a motor vehicle
18 that does not exceed 26,000 pounds registered weight. A motor vehicle that exceeds
19 6,000 pounds registered weight is subject to the fees in section 504.

20 **Sec. 11. 29-A MRSA §456-D, sub-§1,** as repealed and replaced by PL 2007, c.
21 703, §7, is amended to read:

22 **1. We Support Our Troops plates.** The Secretary of State, upon receiving an
23 application and evidence of payment of the excise tax required by Title 36, section 1482,
24 the registration fee required by section 501 or section 504 and the administrative fee and
25 contribution provided for in subsection 2, shall issue a registration certificate and a set of
26 We Support Our Troops plates to be used in lieu of regular registration plates. These
27 plates must bear identification numbers and letters.

28 **Sec. 12. 29-A MRSA §456-D, sub-§1-A** is enacted to read:

29 **1-A. Weight limit.** We Support Our Troops plates may be issued for a motor
30 vehicle that does not exceed 26,000 pounds registered weight. A motor vehicle that
31 exceeds 6,000 pounds registered weight is subject to the fees in section 504.

32 **Sec. 13. 29-A MRSA §456-D, sub-§6,** as repealed and replaced by PL 2007, c.
33 703, §7, is repealed.

34 **Sec. 14. 29-A MRSA §456-E, sub-§1,** as enacted by PL 2007, c. 547, §2, is
35 amended to read:

36 **1. Breast cancer support services plates.** The Secretary of State, upon receiving an
37 application and evidence of payment of the excise tax required by Title 36, section 1482,

1 the annual motor vehicle registration fee required by section 501 or section 504 and the
2 contribution provided for in subsection 2, shall issue a registration certificate and a set of
3 breast cancer support services special registration plates to be used in lieu of regular
4 registration plates. These plates must bear identification numbers and letters.

5 **Sec. 15. 29-A MRSA §456-E, sub-§1-A** is enacted to read:

6 **1-A. Weight limit.** Breast cancer support services special registration plates may be
7 issued for a motor vehicle that does not exceed 26,000 pounds registered weight. A
8 motor vehicle that exceeds 6,000 pounds registered weight is subject to the fees in section
9 504.

10 **Sec. 16. 29-A MRSA §456-E, sub-§8,** as enacted by PL 2007, c. 547, §2, is
11 repealed.

12 **Sec. 17. 29-A MRSA §456-G, sub-§1,** as enacted by PL 2009, c. 73, §1, is
13 amended to read:

14 **1. Support Animal Welfare plates.** The Secretary of State, upon receiving an
15 application and evidence of payment of the excise tax required by Title 36, section 1482,
16 the annual motor vehicle registration fee required by section 501 or section 504 and the
17 contribution provided for in subsection 2, shall issue a registration certificate and a set of
18 Support Animal Welfare special registration plates to be used in lieu of regular
19 registration plates.

20 **Sec. 18. 29-A MRSA §456-G, sub-§1-A** is enacted to read:

21 **1-A. Weight limit.** Support Animal Welfare special registration plates may be
22 issued for a motor vehicle that does not exceed 26,000 pounds registered weight. A
23 motor vehicle that exceeds 6,000 pounds registered weight is subject to the fees in section
24 504.

25 **Sec. 19. 29-A MRSA §456-G, sub-§8,** as enacted by PL 2009, c. 73, §1, is
26 repealed.

27 **Sec. 20. 29-A MRSA §468, sub-§8,** as amended by PL 2007, c. 383, §5, is
28 further amended to read:

29 **8. Weight limit.** A specialty license plate may be issued for an automobile or
30 pickup truck that does not exceed ~~10,000~~ 26,000 pounds registered weight.

31 **Sec. 21. 29-A MRSA §468, sub-§9,** as enacted by PL 2007, c. 383, §5, is
32 amended to read:

33 **9. Limit on authorization.** The Secretary of State shall retire and cease to issue any
34 plate authorized after January 1, 2007 ~~upon the occurrence of the earlier of:~~ if the number
35 of registrations falls below 4,000 for more than one year.

36 ~~A. When the number of sets of the plate issued falls below 4,000 for more than one~~
37 ~~year; and~~

1 ~~B. Ten years after the date of authorization.~~

2 **Sec. 22. 29-A MRSA §562, sub-§3**, as amended by PL 2009, c. 598, §24, is
3 repealed and the following enacted in its place:

4 **3. Powers and duties.** The board may advise the Secretary of State on matters
5 related to motor carrier safety, including advising the Secretary of State on a
6 methodology for the Secretary of State to use to review motor carriers for the purpose of
7 suspending carriers with adverse safety records.

8 The board shall hold a hearing upon the appeal of a motor carrier whose privilege to
9 operate a commercial motor vehicle has been suspended by the Secretary of State upon
10 the recommendation of the bureau or whose privilege to operate a commercial motor
11 vehicle has been suspended by the Secretary of State pursuant to section 2458, subsection
12 2, paragraph V. The board's decision must include a recommendation that the Secretary
13 of State uphold, modify or rescind the suspension. The hearing must be conducted in
14 accordance with the Maine Administrative Procedure Act.

15 **Sec. 23. 29-A MRSA §562, sub-§4**, as enacted by PL 1995, c. 376, §3, is
16 amended to read:

17 **4. Rules.** The board may adopt rules pursuant to the Maine Administrative
18 Procedure Act to carry out the purposes of this section. Rules adopted by the board may
19 include authorizing the bureau to suspend a motor carrier's privilege to operate a
20 commercial motor vehicle upon the bureau's review of the safety record of the motor
21 carrier.

22 **Sec. 24. 29-A MRSA §1411**, as enacted by PL 2007, c. 251, §1, is repealed.

23 **Sec. 25. 29-A MRSA §2458, sub-§2, ¶T**, as amended by PL 2007, c. 438, §3, is
24 further amended to read:

25 T. Has failed to comply with the provisions of Title 36, chapter 459; ~~or~~

26 **Sec. 26. 29-A MRSA §2458, sub-§2, ¶U**, as enacted by PL 2005, c. 433, §24
27 and affected by §28, is amended to read:

28 U. Has failed to provide the information required in section 401, subsection 2-; or

29 **Sec. 27. 29-A MRSA §2458, sub-§2, ¶V** is enacted to read:

30 V. Has exceeded the motor carrier adverse safety limits established by the Secretary
31 of State using the methodology developed pursuant to section 562, subsection 3.

32 **Sec. 28. Effective date.** Those sections of this Act that repeal and replace the
33 Maine Revised Statutes, Title 29-A, section 562, subsection 3 and amend Title 29-A,
34 section 562, subsection 4 take effect January 1, 2019.

1

SUMMARY

2 This bill increases the maximum registered weight of a vehicle eligible for specialty
3 plates from 10,000 pounds to 26,000 pounds. It also makes the Motor Carrier Review
4 Board an appellate board for decisions of the Secretary of State relative to motor carrier
5 safety suspensions and clarifies that the Secretary of State may suspend a motor carrier
6 with an adverse safety history pursuant to the methodology the Secretary of State adopts
7 based on the recommendations of the board. It removes the requirement that specialty
8 plates authorized after January 1, 2007 be retired after 10 years regardless of the number
9 of active plates. The bill also corrects an inadvertent omission made during the technical
10 processing of Public Law 2017, chapter 27.