

# MAINE STATE LEGISLATURE

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SAC  
ROS

L.D. 644

Date: 6-3-21

(Filing No. H-353)

MINORITY  
TRANSPORTATION

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
130TH LEGISLATURE  
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 475, L.D. 644, "An Act Regarding Motor Vehicle Registration Violations"

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 29-A MRSA §351, sub-§1, as amended by PL 2013, c. 112, §6, is further amended to read:

1. **Failure to register.** A person who operates a vehicle that is not registered in accordance with this Title, fails to register a vehicle or permits a vehicle that is not registered to remain on a public way commits:

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

B. A Class E crime if the vehicle was not registered or the registration has been expired for 150 days or more.

C. A traffic infraction for which a fine of not more than \$100 may be adjudged for a first offense if the vehicle was registered and the registration has been expired for 150 days or more;

D. A traffic infraction for which a fine of not more than \$500 may be adjudged for each subsequent offense; or

E. A Class E crime if the vehicle has never been registered by the current owner of the vehicle.

A person served with a Violation Summons and Complaint charging a violation of this subsection may have the complaint dismissed if that person shows satisfactory evidence of registration that was in effect at the time of the alleged violation or that the person subsequently registered the vehicle prior to the date required for filing an answer to the complaint. The clerk of the District Court Violations Bureau must dismiss the complaint if, prior to the date required for filing an answer to the complaint, the person charged files

1 a copy of the Violation Summons and Complaint with the bureau, together with satisfactory  
2 evidence of registration. If a person files a timely answer to a Violation Summons and  
3 Complaint alleging a violation of this subsection and that person presents to the court at the  
4 time of trial satisfactory evidence of registration, the court must dismiss the complaint.

5 **Sec. 2. 29-A MRSA §351, sub-§1-A**, as amended by PL 2005, c. 433, §5 and  
6 affected by §28, is further amended to read:

7 **1-A. Residents required to register.** An owner of a vehicle who becomes a resident  
8 of this State shall register that vehicle in this State within 30 days of establishing residency.  
9 A person who operates or allows a vehicle that is not registered in accordance with this  
10 subsection to remain on a public way commits:

11 A. A traffic infraction for which a fine of not more than \$50 may be adjudged for a  
12 first offense if more than 30 days but less than 150 days has elapsed since establishing  
13 residency; ~~or~~

14 A-1. A traffic infraction for which a fine of not more than \$500 may be adjudged for  
15 a 2nd and each subsequent offense; or

16 B. A Class E crime if more than 150 days have elapsed since establishing residency.

17 **Sec. 3. 29-A MRSA §351, sub-§2, ¶A**, as enacted by PL 1993, c. 683, Pt. A, §2  
18 and affected by Pt. B, §5, is amended to read:

19 A. Within 2 10 business days, the owner or operator must register the vehicle;

20 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
21 number to read consecutively.

22 **SUMMARY**

23 This amendment strikes from the bill the requirement that a warning be issued for all  
24 traffic stops for expired registrations and instead provides that it is:

25 1. A traffic infraction for which a fine of not more than \$50 may be adjudged for a  
26 first offense if the vehicle was registered and the registration has been expired more than  
27 30 days but less than 150 days;

28 2. A traffic infraction for which a fine of not more than \$100 may be adjudged for a  
29 first offense if the vehicle was registered and the registration has been expired for 150 days  
30 or more and for which a fine of not more than \$500 may be adjudged for each subsequent  
31 offense; and

32 3. A Class E crime if the vehicle has never been registered by the current owner of the  
33 vehicle.

34 The amendment also provides that a person served with a Violation Summons and  
35 Complaint charging a violation of failure to register a vehicle may have the complaint  
36 dismissed if that person shows satisfactory evidence of registration that was in effect at the  
37 time of the alleged violation or that the person subsequently registered the vehicle prior to  
38 the date required for filing an answer to the complaint.

39 The amendment provides the following penalties for a violation of failure to change  
40 out-of-state registrations:

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1           1. A fine of not more than \$50 for a first offense if more than 30 days but less than  
2 150 days has elapsed since establishing residency; or

3           2. A fine of not more than \$500 may be adjudged for each subsequent offense.

4           The amendment strikes the provisions in the bill proposing to change the law relating  
5 to 14-day registration plates. The amendment also strikes the requirement that the  
6 Secretary of State establish a notification system to inform individuals of registrations that  
7 are going to expire within the next 30 days.

**FISCAL NOTE REQUIRED**  
**(See attached)**

**COMMITTEE AMENDMENT**



# 130th MAINE LEGISLATURE

LD 644

LR 1930(02)

## An Act Regarding Motor Vehicle Registration Violations

Fiscal Note for Bill as Amended by Committee Amendment *ACH-353*  
Committee: Transportation  
Fiscal Note Required: Yes

### Fiscal Note

	FY 2021-22	FY 2022-23	Projections FY 2023-24	Projections FY 2024-25
<b>Net Cost (Savings)</b>				
General Fund	\$376,242	\$376,242	\$376,242	\$376,242
<b>Revenue</b>				
General Fund	(\$376,242)	(\$376,242)	(\$376,242)	(\$376,242)

#### Fiscal Detail and Notes

This bill changes the penalties for failure to register a vehicle, expired registrations, and failure to change out-of-state registrations. The bill also provides that a complaint will be dismissed if a person is charged with one of these violations but shows satisfactory evidence of registration that was in effect at the time of the alleged violation or if the person subsequently registered the vehicle prior to the date required for filing an answer to the complaint. According to the Judicial Branch, it is estimated that revenues collected from fines and surcharges associated with expired registrations and failure to register a vehicle totaled \$470,302 in 2019. Assuming that 80% of these violations will now be dismissed, it is estimated that \$376,242 in revenue will no longer accrue to the General Fund beginning in FY 2021-22.