

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## SECOND REGULAR SESSION-2024

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Legislative Document

No. 2072

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S.P. 873

In Senate, December 22, 2023

### An Act to Amend the Laws Governing Motor Vehicles

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

Received by the Secretary of the Senate on December 20, 2023. Referred to the Committee on Transportation pursuant to Joint Rule 308.2 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 NANGLE of Cumberland.

Cosponsored by Representative PARRY of Arundel and

Senator: FARRIN of Somerset, Representatives: CRAFTS of Newcastle, O'CONNELL of Brewer.

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 35 years old or is more than 25 years old and was registered as an  
5 antique vehicle prior to January 2025;

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

8 A. More than 25 35 years old or is more than 25 years old and was registered as an  
9 antique motorcycle prior to January 2025;

10 **Sec. 3. 29-A MRSA §457, sub-§3, ¶A**, as enacted by PL 1993, c. 683, Pt. A, §2  
11 and affected by Pt. B, §5, is amended to read:

12 A. Is over 25 years old or in the case of an antique auto or antique motorcycle, is more  
13 than 35 years old or is more than 25 years old and was registered as an antique auto or  
14 antique motorcycle prior to January 2025;

15 **Sec. 4. 29-A MRSA §461, sub-§2**, as amended by PL 2019, c. 352, §1, is further  
16 amended by repealing the first blocked paragraph.

17 **Sec. 5. 29-A MRSA §468, sub-§1-A**, as enacted by PL 2023, c. 271, §6, is  
18 amended to read:

19 **1-A. Sponsor affiliation.** A sponsor who registers with the Secretary of State after  
20 June 30, 2025 must be affiliated with a state department that is responsible for oversight of  
21 the collection and distribution of the contributions collected under subsection 2, paragraph  
22 B and not returned pursuant to subsection 2, paragraph C, which, except as provided by  
23 subsection 2, must be deposited in an other special revenue account to provide essential  
24 services to the public. To obtain preliminary approval in subsection 1-B, the sponsor shall  
25 provide documentation to the Secretary of State identifying the state department providing  
26 oversight and that department shall submit in writing on departmental letterhead to the  
27 Secretary of State that it agrees to oversee the collection and distribution of the  
28 contributions.

29 **Sec. 6. 29-A MRSA §501, sub-§7, ¶G**, as enacted by PL 2011, c. 556, §4, is  
30 repealed.

31 **Sec. 7. 29-A MRSA §505, sub-§1**, as enacted by PL 1993, c. 683, Pt. A, §2 and  
32 affected by Pt. B, §5, is amended to read:

33 **1. Definition.** For purposes of this section, "farm truck" means a truck, van or sport  
34 utility vehicle equipped with axles other than dolly axles under section 1902, subsection 4,  
35 or a farm truck towing a trailer or semitrailer when that truck is used primarily for  
36 transportation of agricultural commodities, supplies or equipment for a farm owned,  
37 operated or occupied by the registrant. "Farm truck" does not include a truck used for the  
38 retail delivery of milk or used on a substantially daily delivery schedule on established  
39 routes.

40 **Sec. 8. 29-A MRSA §523, sub-§1**, as enacted by PL 1993, c. 683, Pt. A, §2 and  
41 affected by Pt. B, §5, is amended to read:

1           **1. Amputee or blind veterans.** On application to the Secretary of State for  
2 registration of any motor vehicle of any amputee or blind veteran who has received an  
3 automobile from the United States Government under authority of 38 United States Code,  
4 Sections 3901, et seq. or any amputee or blind veteran receiving compensation from the  
5 United States Department of Veterans Administration Affairs or any branch of the United  
6 States Armed Forces for service-connected disability who has a specially designed motor  
7 vehicle, that veteran is entitled to have that automobile duly registered and a registration  
8 certificate delivered to the veteran without the requirement of the payment of any fee.

9 Any veteran who has lost both legs or the use of both legs and who has registered a motor  
10 vehicle without the payment of a fee as provided in this section upon certification by the  
11 United States Department of Veterans Administration Affairs or appropriate branch of the  
12 United States Armed Forces ~~must~~ may upon request be issued special designating plates.  
13 Those designating plates must be issued by the Secretary of State and must bear the words  
14 "Disabled Veteran."

15           **Sec. 9. 29-A MRSA §523, sub-§2**, as amended by PL 2017, c. 43, §1, is further  
16 amended to read:

17           **2. Disabled veterans; special free license plates.** The Secretary of State, on  
18 application and upon evidence of payment of the excise tax required by Title 36, section  
19 1482 or upon evidence of exemption from excise tax under Title 36, section 1483,  
20 subsection 12, shall issue, with no annual registration fee, a registration certificate and ~~set~~  
21 ~~of~~ upon request special designating plates to be used in lieu of regular registration plates  
22 for a vehicle with a registered gross weight of not more than 26,000 pounds to any 100%  
23 disabled veteran when that application is accompanied by certification from the United  
24 States Department of Veterans Administration Affairs or any branch of the United States  
25 Armed Forces as to the veteran's permanent disability and receipt of 100% service-  
26 connected benefits. ~~A Upon request a disability placard is may be issued in addition to the~~  
27 ~~disabled veteran registration plate~~ at no fee. The Secretary of State may issue a registration  
28 certificate and special designating plates for more than one vehicle owned by a veteran  
29 eligible under this subsection.

30 These special designating plates must bear the words "Disabled Veteran," which indicate  
31 that the vehicle is owned by a disabled veteran.

32           **Sec. 10. 29-A MRSA §651-B**, as amended by PL 2001, c. 671, §11, is further  
33 amended to read:

34 **§651-B. Certificate of title permissible**

35 A semitrailer, ~~regardless of model year,~~ no more than 25 years old with an unladen  
36 weight in excess of 3,000 pounds that is used for interstate or intrastate transportation may  
37 be titled in this State even if the semitrailer is registered in another jurisdiction.

38           **Sec. 11. 29-A MRSA §652, sub-§13**, as amended by PL 2023, c. 402, §1, is further  
39 amended to read:

40           **13. Vehicles more than 25 years old.** Vehicles more than 25 years old, except when  
41 the Secretary of State determines it is in the best interest of the State and the applicant to  
42 issue a warranty title as prescribed under section 651, subsection 3 to a motor vehicle more  
43 than 25 years old;

1           **Sec. 12. 29-A MRSA §657, sub-§7**, as amended by PL 1995, c. 645, Pt. A, §8 and  
2 affected by §18, is further amended to read:

3           **7. Mailing of certificate.** The Secretary of State shall mail a certificate of title or  
4 certificate of salvage to the owner named on the certificate. The Secretary of State shall  
5 also mail a certificate of lien, certificate of title or certificate of salvage to the first  
6 lienholder named on the certificate. If the first lienholder named on the certificate of title  
7 participates in the electronic lien titling program as provided by section 651-A, the first  
8 lienholder may request that the Secretary of State print a paper certificate of title or  
9 certificate of salvage and mail it to an alternate address.

10           **Sec. 13. 29-A MRSA §903, sub-§1, ¶K**, as enacted by PL 1993, c. 683, Pt. A, §2  
11 and affected by Pt. B, §5, is amended to read:

12           K. Failure to appear at a hearing required by the Secretary of State or, failure to appear  
13 in court to answer a summons or failure to pay fines or fees for a violation of this  
14 chapter; or

15           **Sec. 14. 29-A MRSA §953-A**, as enacted by PL 1999, c. 211, §1, is amended to  
16 read:

17 **§953-A. Document fees**

18           A dealer ~~selling a new or used motor vehicle~~ shall post on ~~the~~ a vehicle the dealer is  
19 selling any document preparation fee that will be added to the vehicle's sale price. A  
20 violation of this section is prima facie evidence of an unfair trade practice and is a violation  
21 of Title 5, section 207.

22           **Sec. 15. 29-A MRSA §956, sub-§1, ¶H**, as amended by PL 1997, c. 776, §31, is  
23 further amended to read:

24           H. On a used motor vehicle offered for sale, the written vehicle history statement  
25 required by Title 10, section 1475; ~~and~~

26           **Sec. 16. 29-A MRSA §956, sub-§1, ¶I**, as enacted by PL 1997, c. 776, §32, is  
27 amended to read:

28           I. Copies of titles, transfers and other documents used for titling purposes; and

29           **Sec. 17. 29-A MRSA §956, sub-§1, ¶J** is enacted to read:

30           J. A copy of the purchase and sale agreement for each transaction conducted.

31           **Sec. 18. 29-A MRSA §1002, sub-§1-A**, as enacted by PL 2003, c. 452, Pt. Q, §12  
32 and affected by Pt. X, §2, is repealed and the following enacted in its place:

33           **1-A. Limitation on use.** The following provisions govern limitations on use.

34           A. A person using a dealer plate may not permit a vehicle owned or controlled by a  
35 manufacturer or dealer to be operated except for the purposes authorized under  
36 subsection 1.

37           B. Unless otherwise authorized by law, a dealer plate may only be used on the type of  
38 vehicle for which the plate is issued.

39           **Sec. 19. 29-A MRSA §1002, sub-§5, ¶F**, as enacted by PL 1993, c. 683, Pt. A, §2  
40 and affected by Pt. B, §5, is amended to read:

1 F. Large 4-wheel drive trucks and snowplows that are manufactured to be equipment;

2 **Sec. 20. 29-A MRSA §1052, sub-§3**, as enacted by PL 1993, c. 683, Pt. A, §2 and  
3 affected by Pt. B, §5, is repealed.

4 **Sec. 21. 29-A MRSA §1108, sub-§1, ¶J**, as enacted by PL 1993, c. 683, Pt. A, §2  
5 and affected by Pt. B, §5, is amended to read:

6 J. Failure to appear at a hearing required by the Secretary of State ~~or~~, failure to appear  
7 in court pursuant to a lawful summons or failure to pay fines or fees for a violation of  
8 this chapter.

9 **Sec. 22. 29-A MRSA §1113, sub-§5, ¶A**, as enacted by PL 2021, c. 660, §4, is  
10 amended to read:

11 A. A person who is not a recycler may not operate a business that deals in the purchase  
12 or sale of catalytic converters that have been removed from motor vehicles or the  
13 deconstruction or disposal of catalytic converters that have been removed from motor  
14 vehicles.

15 A person who violates this paragraph commits a Class E crime.

16 **Sec. 23. 29-A MRSA §1113, sub-§15, ¶E** is enacted to read:

17 E. A catalytic converter seized from a recycler that is not properly marked in  
18 accordance with this section is contraband and automatically forfeited. The catalytic  
19 converter must be automatically forfeited to the Secretary of State without the  
20 completion of a libel process.

21 **Sec. 24. 29-A MRSA §1253, sub-§8** is enacted to read:

22 **8. Query of drug and alcohol clearinghouse.** Beginning no later than November 18,  
23 2024, the Secretary of State shall query the Federal Motor Carrier Safety Administration's  
24 drug and alcohol clearinghouse prior to the issuance, upgrade, renewal or transfer of a  
25 commercial driver's license or a commercial learner's permit and shall deny the transaction  
26 and initiate downgrade procedures if the query results indicate the driver is prohibited from  
27 operating a commercial motor vehicle.

28 **Sec. 25. 29-A MRSA §1301, sub-§2-A**, as amended by PL 2017, c. 27, §2 and  
29 affected by §10, is further amended to read:

30 **2-A. Legal presence requirement.** The Secretary of State may not issue a license to  
31 an applicant unless the applicant presents to the Secretary of State valid documentary  
32 evidence of legal presence in the United States. Valid documentary evidence of legal  
33 presence for a United States citizen may include a United States passport that has been  
34 expired for less than 2 years.

35 **Sec. 26. 29-A MRSA §1353, sub-§1**, as enacted by PL 2019, c. 352, §3, is amended  
36 to read:

37 **1. Instructor fee.** The motorcycle rider education instructor license fee is ~~\$100~~ \$200  
38 and expires ~~one year~~ 2 years from the date of issuance. The renewal fee is ~~\$100~~ \$200.

39 **Sec. 27. 29-A MRSA §1354, sub-§3, ¶A**, as enacted by PL 1995, c. 505, §15 and  
40 affected by §22, is amended to read:

1 A. The Secretary of State may not issue a license for a driver education school until  
2 the ~~applicant~~ school owner has filed with the Secretary of State a certificate showing  
3 that ~~the applicant~~ each vehicle used during driving instruction is covered by an  
4 automobile bodily injury and property damage liability insurance policy insuring  
5 against any legal liability in accordance with the terms of the policy for personal injury  
6 or death of any one person in the sum of \$100,000 and for any number of persons in  
7 the sum of \$300,000 and against property damage in the sum of \$100,000 arising from  
8 the operation of ~~any~~ each vehicle being used in a commercial driver education school.  
9 In lieu of that insurance, the applicant may file with the Secretary of State a bond or  
10 bonds issued by a surety company authorized to do business in the State in the amount  
11 of at least \$100,000 on account of injury to or death of one person and subject to such  
12 limits as respects injury to or death of one person, of at least \$300,000 on account of  
13 any one accident resulting in injury to or death of more than one person and of at least  
14 \$100,000 for damage to property of others. Failure to comply with this subsection is  
15 grounds for suspension or revocation of a driver education school license.

16 **Sec. 28. 29-A MRSA §1410, sub-§8**, as amended by PL 2017, c. 27, §6 and  
17 affected by §10, is further amended to read:

18 **8. Legal presence requirement.** The Secretary of State may not issue a nondriver  
19 identification card to an applicant unless the applicant presents to the Secretary of State  
20 valid documentary evidence of legal presence in the United States. Valid documentary  
21 evidence of legal presence for a United States citizen may include a United States passport  
22 that has been expired for less than 2 years.

23 **Sec. 29. 29-A MRSA §1754, sub-§1, ¶D**, as amended by PL 2001, c. 180, §1, is  
24 further amended to read:

25 D. If operated by a dealer or holder of a transporter registration certificate, is operated  
26 only from a point of purchase to the licensee's place of business. For the purposes of  
27 this paragraph, "point of purchase" includes, but is not limited to, an ~~auto~~ automobile  
28 auction, distribution center or another licensed vehicle dealer; ~~or~~

29 **Sec. 30. 29-A MRSA §1754, sub-§1, ¶E**, as enacted by PL 2001, c. 180, §2, is  
30 amended to read:

31 E. Is owned by the dealer or holder of the transporter registration certificate and is  
32 operated by the owner or the owner's employee for the sole purpose of traveling to an  
33 inspection facility; ~~or~~

34 **Sec. 31. 29-A MRSA §1754, sub-§1, ¶F** is enacted to read:

35 F. Is owned by the dealer or holder of the transporter registration certificate and is  
36 operated by the owner or the owner's employee for the sole purpose of moving an  
37 uninspected motor vehicle to an automobile auction or another licensed vehicle dealer.

38 **Sec. 32. 29-A MRSA §2310, sub-§2**, as enacted by PL 2013, c. 484, §2, is amended  
39 to read:

40 **2. Multifunction school activity bus.** The bus is a multifunction school activity bus  
41 that is operated by a driver ~~with a school bus operator endorsement pursuant to section~~  
42 ~~2303 that is appropriate for the number of passengers and gross vehicle weight rating. A~~  
43 ~~driver of a multifunction school activity bus must comply with all applicable school bus~~

1 operator requirements of this Title who is at least 21 years of age and who has held a driver's  
2 license for at least 2 years.

### 3 **SUMMARY**

4 This bill makes the following changes to the laws governing motor vehicles. It:

5 1. Amends the definition of "antique auto" to include an automobile that is more than  
6 35 years old or that is more than 25 years old and was registered as an antique vehicle  
7 before January 2025;

8 2. Amends the definition of "antique motorcycle" to include a motorcycle that is more  
9 than 35 years old or that is more than 25 years old and was registered as an antique  
10 motorcycle before January 2025;

11 3. Eliminates the provision that allows a person during a nonplate issue year to reserve  
12 an unexpired registration plate number for more than 6 months;

13 4. Clarifies that specialty plate sponsors registering with the Secretary of State after the  
14 specialty plate moratorium must be affiliated with a state department;

15 5. Eliminates the authority of the Secretary of State to issue unassigned temporary  
16 registration permits to licensed vehicle auction businesses;

17 6. Clarifies that vans and sport utility vehicles may be registered as farm trucks;

18 7. Clarifies that a set of disabled veteran plates are optional for a veteran who has lost  
19 both legs or the use of both legs when the veteran receives a registration fee and excise tax  
20 exemption;

21 8. Clarifies that the Secretary of State may issue a registration certificate and special  
22 designating plates for more than one vehicle owned by certain disabled veterans;

23 9. Allows for the issuance of titles for semitrailers no more than 25 years old;

24 10. Requires titles issued to motor vehicles over 25 years old to be warranty titles in  
25 accordance with the Maine Revised Statutes, Title 29-A, section 651, subsection 3;

26 11. Allows a first lienholder participating in the electronic lien titling program to  
27 request that a paper certificate of title or salvage be printed and mailed to an alternate  
28 address;

29 12. Requires that all fines and fees related to dealer licensing be paid for a dealer license  
30 to be issued or retained;

31 13. Requires dealers to post their document preparation fees on all vehicles;

32 14. Requires dealers to maintain a copy of any purchase and sale agreements for a  
33 minimum of 5 years;

34 15. Clarifies that specific dealer plates may be used only for that type of vehicle;

35 16. Clarifies the type of large 4-wheel drive trucks that may be operated with an  
36 equipment dealer plate;

37 17. Eliminates the requirement that records of vehicles sold by vehicle auction  
38 businesses be submitted to the Secretary of State;



- 1           18. Requires that all fines and fees related to dealer and recycler licensing be paid for  
2 a recycler license to be issued or retained;
- 3           19. Prohibits a person who is not a recycler from operating a business that deals in the  
4 sale of catalytic converters that have been removed from motor vehicles;
- 5           20. Clarifies that unmarked catalytic converters seized from a licensed recycler are  
6 contraband and must be automatically forfeited to the Secretary of State without the  
7 requirement of the libel process;
- 8           21. Requires the Secretary of State to use the Federal Motor Carrier Safety  
9 Administration's drug and alcohol clearinghouse when issuing, upgrading, renewing or  
10 transferring a commercial driver's license or learner's permit;
- 11          22. Allows the Secretary of State to accept a recently expired United States passport as  
12 proof of legal presence for United States citizens when issuing a driver's license;
- 13          23. Increases the length of time a motorcycle rider education instructor license is valid;
- 14          24. Allows the Secretary of State to accept a recently expired United States passport as  
15 proof of legal presence for United States citizens when issuing a nondriver identification  
16 card;
- 17          25. Clarifies the responsibilities of a driver education school to ensure adequate vehicle  
18 insurance prior to use during driver education instruction;
- 19          26. Clarifies that a dealer may transport an uninspected vehicle to an automobile  
20 auction or another licensed vehicle dealer as long as it is safe to operate on a public way;  
21 and
- 22          27. Eliminates the requirement for a school bus operator endorsement for drivers of a  
23 multifunction school activity bus and provides that the driver must be at least 21 years of  
24 age and have held a driver's license for at least 2 years.