

MAINE STATE LEGISLATURE

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N I N E T Y - F I F T H L E G I S L A T U R E

Legislative Document

No. 1074

S. P. 460

In Senate, March 2, 1951.

Referred to Committee on Transportation. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary.

Presented by Senator Noyes of Hancock.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-ONE

AN ACT Relating to Penalties for Violation of Truck Weight Laws.

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

R. S., c. 19, §§ 100-A, 100-B, additional. Chapter 19 of the revised statutes is hereby amended by adding thereto 2 new sections to be numbered 100-A and 100-B, to read as follows:

'Sec. 100-A. Officers to weigh vehicles and require removal of excess weight; risk of loss or damage to goods so removed. Any police officer may require the drive of any motor vehicle described in section 100 to stop and submit to a weighing of the same by means of either portable or stationary scales. If such scales are not available at the place where such vehicle is stopped, the police officer may require that such vehicle be driven to the nearest public scales capable of weighing said vehicle and load if such does not increase by more than 5 miles the distance which said vehicle may reasonably travel to reach its destination.

Whenever a police officer, upon weighing a vehicle and load, as above provided, determines that the weight is in excess of any of the limits prescribed in section 100, such officer shall require the driver to stop the vehicle in a place designated by such officer and such vehicle shall not be per-

mitted to proceed until the operator thereof shall have taken such action as may be necessary to reduce the weight of the vehicle and load to such limits as are permitted under the terms of said section 100; provided, however, that if said excess weight does not exceed 2,000 pounds, said officer may in his discretion permit said vehicle to proceed without unloading said excess weight; and such police officer may summons the owner or driver of such vehicle; or he may arrest the driver forthwith, in which case the provisions of section 6 of chapter 134 shall apply. Neither the arresting officer or the state of Maine, nor any political subdivision or agency thereof shall be responsible for the protection of such vehicle, of its contents, nor of any portion of its contents removed from said vehicle.

Sec. 100-B. Penalty for weight violations. Any person who violates any provision of section 100 shall be guilty of a misdemeanor on account of each such violation, and for each violation of which convicted shall be punished by a fine and costs of court which fine and costs of court shall not be suspended, of

\$10 and costs of court when the gross weight is in excess of the limits prescribed in section 100, provided such excess is less than 1,000 pounds;

\$20 and costs of court when such excess is 1,000 pounds or over but less than 2,000 pounds;

\$40 and costs of court when such excess is 2,000 pounds or over but less than 3,000 pounds;

\$80 and costs of court when such excess is 3,000 pounds or over but less than 4,000 pounds;

\$150 and costs of court when such excess is 4,000 pounds or over but less than 5,000 pounds;

\$200 and costs of court when such excess is 5,000 pounds or over but less than 6,000 pounds;

\$250 and costs of court when such excess is 6,000 pounds or over but less than 8,000 pounds;

\$300 and costs of court when such excess is 8,000 pounds or over but less than 10,000 pounds;

Not less than \$350 and costs of court and not more than \$500 and costs of court when such excess is 10,000 pounds or over.

For the purposes of this chapter, weights as indicated by any type of stationary or portable scales approved by the Maine state highway com-

mission and tested within 12 calendar months prior to the time of use by a person and method approved by said commission, shall be deemed accurate.

In addition to the penalties above provided for, the court shall impose an alternative jail sentence of not more than 30 days to be served if the respondent fails to pay the fine and costs imposed by said court.'