

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND ELEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 1982 to June 24, 1983
Chapters 1-452

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J.S. McCarthy Co., Inc.
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1983

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

CHAPTER 332

H.P. 750 - L.D. 962

AN ACT to Authorize the Maine Turnpike Authority to Receive Applications and Approve Descriptive and Directional Signs on the Maine Turnpike.

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

23 MRSA §1201, as amended by PL 1981, c. 613, is further amended by adding after the first ¶ a new paragraph to read:

The Maine Turnpike Authority shall develop guidelines for review of applications from organizations requesting signs on the Maine Turnpike, directing motorists to structures and objects of local, regional and statewide interest. Authority for approval of applications for directional signs rests with the Maine Turnpike Authority.

Effective September 23, 1983.

CHAPTER 333

H.P. 1115 - L.D. 1473

AN ACT Repealing the Law on the Effect of Bail Following Conviction and Commitment.

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

15 MRSA §1701, as repealed and replaced by PL 1965, c. 356, §54, is repealed.

Effective September 23, 1983.

CHAPTER 334

H.P. 1183 - L.D. 1576

AN ACT to Suspend Operation Authority on Motor Vehicles which Fail to Comply with the Gasoline Reporting Law.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, present motor vehicle law provides that the registration of vehicles, operators' licenses and permits may be revoked, canceled or suspended if the driver of the vehicle fails to pay the gasoline road tax or the use fuel tax;

Whereas, the driver of the vehicle, in a number of cases, is not responsible by present tax law for the payment of these taxes; and

Whereas, there is no formal procedure by which the Secretary of State is notified that a motor carrier is in violation of the gasoline road or use fuel tax laws; and

Whereas, the potential exists for the loss of substantial revenues to the Highway Fund unless the law is corrected; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 29 MRSA §2241, sub-§1, ¶L, as enacted by PL 1981, c. 689, §2, is repealed.

Sec. 2. 29 MRSA §2241, sub-§1-A is enacted to read:

1-A. Suspension for failure to comply with tax law. The Secretary of State or any Deputy Secretary of State may suspend all the certificates of registration and all the fuel use identification decals issued by the State to any motor carrier without preliminary hearing upon showing by records or other sufficient evidence that the person responsible for complying with the payment of reporting provisions of Title 36, chapter 453, 457 or 459 has failed to comply with the provisions in these chapters. The Secretary of State shall notify the motor carrier that all certificates of registration and all fuel use identification decals issued to that motor carrier are in suspension and that the motor carrier may request a hearing in writing within 10 days. Any

suspension shall remain in effect pending the outcome of the hearing.

Sec. 3. 36 MRSA §2967, as amended by PL 1981, c. 689, §4, is further amended by adding at the end 2 new paragraphs to read:

The State Tax Assessor shall notify the Secretary of State and the Bureau of State Police of any motor carrier who has failed to file the reports required by this chapter or who has failed to make tax payments when due.

The Secretary of State, shall suspend vehicle registrations in that carrier's name, if any, and the right of that carrier to operate vehicles in this State as provided in Title 29, section 2241, and the State Police shall refuse to issue or reissue authority, as is required by Title 29, chapter 25.

Sec. 4. 36 MRSA §3038, as amended by PL 1981, c. 689, §6, is further amended by adding at the end 2 new paragraphs to read:

The State Tax Assessor shall notify the Secretary of State and the Bureau of State Police of any carrier who has failed to comply with this chapter.

The Secretary of State shall suspend vehicle registrations in the name of that carrier, if any, and the right to operate as provided in Title 29, section 2241, and the State Police shall refuse to issue or reissue authority required by Title 29, chapter 25.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective May 24, 1983.

CHAPTER 335

H.P. 850 - L.D. 1100

AN ACT Concerning Right-of-way for
Emergency Vehicles.

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

29 MRSA §946, as amended by PL 1967, c. 245, §13,