

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 scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND ELEVENTH LEGISLATURE

SECOND SPECIAL SESSION

November 18, 1983

AND AT THE

SECOND REGULAR SESSION

January 4, 1984 to April 25, 1984

AND AT THE

THIRD SPECIAL SESSION

September 4, 1984 to September 11, 1984

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH
IN ACCORDANCE WITH MAINE REVISED STATUTES
ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

J.S. McCarthy Co., Inc.
Augusta, Maine
1986

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND ELEVENTH LEGISLATURE
JANUARY 4, 1984 TO APRIL 25, 1984

1984-85INLAND FISHERIES AND WILDLIFE,
DEPARTMENT OF

All Other \$358,000

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved, except for Part Q which shall take effect on January 1, 1985.

Effective April 23, 1984, unless otherwise indicated.

CHAPTER 808

H.P. 1440 - L.D. 1885

AN ACT Concerning Application of
Fuel Tax Laws.

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

Sec. 1. 29 MRSA §246-A, sub-§3, as amended by PL 1983, c. 94, Pt. C, §8, is further amended to read:

3. Form of application. Application shall be made upon a form and in a manner prescribed by the Secretary of State and shall set forth such information as the Secretary of State may require. The application shall be accompanied by a fee of \$15 for each vehicle listed in the application. On and after November 1st, the fee shall be 1/2 rate.

Sec. 2. 36 MRSA §2963, first ¶ as amended by PL 1973, c. 625, §263, is further amended to read:

Every motor carrier shall pay a road tax equivalent to the existing rate of taxation per gallon, calculated on the amount of motor fuel used in its operations within this State. Every motor carrier, subject to the tax imposed, shall be entitled to a credit on such tax equivalent to the existing rate of taxation per gallon on all motor fuel purchased by such carrier within this State for use in its operations, either within or without this State, and upon which motor fuel the tax imposed by the laws of this State has been paid by such carrier. Evidence of the payment of such tax, in such form as may be required by or is satisfactory to the State Tax Assessor,

shall be furnished by each such carrier claiming the credit allowed. When the amount of the credit, to which any motor carrier is entitled for any quarter, exceeds the amount of the tax for which such carrier is liable for the same quarter, such excess may, under regulations of the State Tax Assessor, be allowed as a credit on the tax for which such carrier would be otherwise liable for another quarter or quarters; or upon application within 90 days from the end of any quarter, duly verified and presented in accordance with regulations promulgated by the State Tax Assessor and supported by such evidence as may be satisfactory to the State Tax Assessor, such excess may be refunded if it shall appear that the applicant has paid to another state or province under a lawful requirement of such jurisdiction a tax, similar in effect to the road tax provided, on the use or consumption of the same motor fuel without this State, to the extent of such payment at the same rate per gallon that the tax was paid in this State on that number of gallons used in and a tax paid on in such other jurisdiction, but in no case to exceed the rate per gallon of the then current Maine state motor fuel tax. Upon receipt of such application, the State Tax Assessor, if satisfied after investigation that a refund is justified, shall so certify to the State Controller and it shall be paid out of the General Highway Fund. Such credit shall lapse at the end of the last quarter of the year following that in which the credit arose.

Sec. 3. 36 MRSa §3208, first ¶, as enacted by PL 1983, c. 94, Pt. D, §6, is amended to read:

Every user subject to the tax imposed by section 3203 shall be entitled to a credit on the tax equivalent to the existing rate of taxation per gallon on all fuels purchased by that user from a supplier licensed in accordance with section 3204 upon which fuel the tax is imposed by section 3203 has been paid by that user. Evidence of the payment of that tax, in such form as may be required by or is satisfactory to the State Tax Assessor, shall be furnished by each user claiming the credit allowed. When the amount of the credit to which any user is entitled for any quarter exceeds the amount of the tax for which that user is liable for the same quarter, the excess may, under rules of the State Tax Assessor, be allowed as a credit on the tax for which that user would be otherwise liable for another quarter or quarters, or upon application within 3 months from the end of any quarter, duly verified and presented in accordance with regulations promulgated by the State Tax Assessor and supported by such evidence as may be satis-

factory to the State Tax Assessor, such excess may be refunded if it shall appear that the applicant has paid to another state or province under a lawful requirement of such jurisdiction a tax similar in effect to the tax levied in section 3203, on the use or consumption of the same fuel without the State, ~~to~~ the extent of the payment at the same rate per gallon that such tax was paid in this State on that number of gallons used in and a tax paid on in such other jurisdiction, but in no case to exceed the rate per gallon of the then current Maine state fuel tax. Upon receipt of the application, the State Tax Assessor, if satisfied after investigation that a refund is justified, shall so certify to the State Controller and it shall be paid out of the Highway Fund. This credit shall lapse at the end of the last quarter of the year following that in which the credit arose.

Effective July 25, 1984.

CHAPTER 809

S.P. 892 - L.D. 2408

AN ACT Requiring Proof of Financial
Responsibility for 2nd and Subsequent
Offenders Under the Drunk Driving Laws.

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

Sec. 1. 29 MRSA §782, sub-§1, as amended by PL 1977, c. 694, §509, is further amended to read:

1. Suspension of licenses. Upon receipt of an abstract of the record in cases of conviction or adjudication of any person for a violation of any state law relative to motor vehicles, the Secretary of State, in his discretion, may forthwith, pursuant and subject to chapter 17, suspend the license of the person so convicted or adjudicated and the registration certificates and registration plates issued for any motor vehicle, trailer or semitrailer registered in the name of such person unless and until such person gives and thereafter maintains for a period of 3 years proof of his financial responsibility in the limits of \$20,000 each individual, \$40,000 any one accident resulting in injury or death to one or more persons and \$10,000 for damage to property of others. Upon receipt of an attested copy of the court record