

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWELFTH LEGISLATURE

SECOND REGULAR SESSION
January 8, 1986 to April 16, 1986

SECOND SPECIAL SESSION
May 28, 1986 to May 30, 1986

AND AT THE

THIRD SPECIAL SESSION
October 17, 1986

PUBLISHED BY THE DIRECTOR OF REVISOR OF STATUTES IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

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

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND TWELFTH LEGISLATURE
1985

CHAPTER 685

S.P. 912 - L.D. 2279

AN ACT to Amend Certain Motor Vehicle Laws.

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

Sec. 1. 29 MRSA §102, last ¶, as enacted by PL 1985, c. 429, §9, is amended to read:

No trailer or semitrailer may be towed or remain upon any way, unless the trailer or semitrailer is registered and equipped in accordance with this Title, except that a permit may be granted at and by a municipal police department, sheriff's office, State Police Regional Communication Center or field office or an office of the Division of Motor Vehicles to tow an unregistered trailer or semitrailer with a gross weight of not more than 3,000 pounds, for one trip only, between the points of origin and destination. The permit shall not remain valid for more than 3 consecutive days, including the date of issuance. The application shall include the name of the applicant, residence and address of the applicant, a brief description of the trailer or semitrailer, the name of its maker and the points of origin and destination.

Sec. 2. 29 MRSA §245-A, 3rd ¶, as amended by PL 1983, c. 694, is further amended to read:

The Secretary of State shall require the appointment of a true and lawful agent or representative for each and every nonresident applicant. The agent or representative, who shall be a Maine resident, the owner or lessee applying for registration or the duly authorized person, shall sign the registration ~~certificate~~ application. Legal process served upon a registrant's designated agent or representative shall be deemed to be service upon the registrant. This applies only to nonresident individuals, partnerships or corporations applying for semitrailer or trailer plates.

Sec. 3. 29 MRSA §245-A, as amended by PL 1985, c. 429, §11, is further amended by adding at the end a new paragraph to read:

Notwithstanding section 102 or 104, applications for registration under this section shall be signed by the owner or lessee applying for registration, the

person duly authorized by the applicant or the applicant's designated agent or representative and shall contain such particulars as may be required by the Secretary of State. The Secretary of State upon granting the application shall register in a book, or otherwise record, the semitrailer or trailer described in the application, giving to the owner or lessee to whom registered a distinguishing number or other mark and shall thereupon issue a certificate of registration which shall contain the name and address of the owner or lessee to whom the semitrailer or trailer is registered or the address of its designated agent.

Sec. 4. 29 MRSA §832, first ¶, as amended by PL 1973, c. 788, §129, is further amended to read:

The Secretary of State shall not issue a chapter 5, subchapter III-A dealer, transporter, loaner, motorcycle dealer or boat trailer dealer; license or registration plates, except those dealers who are licensed to sell trailers with a GVWR of 3,000 pounds or less and do not request dealer registration plates in conjunction with the license, until the applicant therefor shall have procured and filed with the Secretary of State a certificate showing that the applicant is covered by an automobile bodily injury and property damage liability insurance policy providing coverage as set forth in this Title with respect to the plates issued, approved by the Insurance Superintendent, insuring against any legal liability in accordance with the terms of said policy for personal injury or death of any one person in the sum of \$20,000 and for any number of persons in the sum of \$40,000 and against property damage in the sum of \$10,000 which injury, death or damage may result from or have been caused by the operation of any vehicle bearing such registration plates. In lieu of such insurance, the applicant may file with said Secretary of State a bond or bonds issued by a surety company authorized to do business in the State in the amount of at least \$20,000 on account of injury to or death of any one person, and subject to such limits as respects injury to or death of one person; of at least \$40,000 on account of any one accident resulting in injury to or death of more than one person, and of at least \$10,000 for damage to property of others.

Sec. 5. 29 MRSA §2362, sub-§3, as amended by PL 1985, c. 429, §19, is further amended to read:

3. Nonresident's vehicle. A vehicle owned by a nonresident of this State and not required by law to

be registered in this State, provided that any such vehicle which is actually registered in this State shall not be exempt, except as provided in subsections 4 and ~~11~~ 15;

Sec. 6. 29 MRSA §2362, sub-§8, as amended by PL 1985, c. 429, §20, is further amended to read:

8. Resident's vehicle registered in another state. A vehicle owned by a resident of this State but registered in another, provided that any such vehicle which is actually registered in this State shall not be exempt, except as provided in subsections 4 and ~~11~~ 15;

Sec. 7. 29 MRSA §2402, sub-§4 is enacted to read:

4. Vehicles located outside of state and registered in this State. Unless excepted by section 2362, if a vehicle is located outside of this State and is not the subject of a valid certificate of title issued by another jurisdiction, upon registration of the vehicle in this State the provisions of this chapter regarding perfection of a security interest shall apply. Notwithstanding anything contained in Title 11, article 9, Part 1, perfection under this chapter shall be and remain valid until either:

A. The certificate issued by this State is surrendered for retitling in another jurisdiction;
or

B. Registration plates issued by this State are removed from the vehicle, the registration issued by this State is surrendered and the vehicle is reregistered in another jurisdiction.

Sec. 8. 29 MRSA §2504, sub-§2, as repealed and replaced by PL 1985, c. 429, §23, is amended to read:

2. Altered vehicles. No person may operate any vehicle required to be registered in this State upon any highway or street and no vehicle may receive a certificate of inspection, as required by this chapter, if that vehicle has a frame end height of less than 10 inches or a height in excess of the maximum as set by this subsection. Maximum frame end height shall be based on the manufacturers' gross vehicle weight rating. Measurements shall be taken from a level surface to ~~any~~ any the lowermost point on the ~~lowermost~~ frame end. No vehicle may be modified to cause the vehicle body or chassis to come into con-

tact with the ground, expose the fuel tank to damage from collision or cause the wheels to come in contact with the body under normal operation nor may any part of the original suspension system be disconnected. Nothing in this section prevents the installation of heavy duty equipment to include shock absorbers and overload springs or prevents a person from operating a motor vehicle on a public way with normal wear of the suspension system if normal wear does not affect the control of the vehicle. This section does not apply to motor vehicles that are being lawfully towed on the highways of this State. Maximum frame end heights are as follows:

	FRONT	REAR
Automobile	22 inches	22 inches
Vehicles 4,500 lbs. and under GVWR	24 inches	26 inches
Vehicles 4,501 lbs. to 7,500 lbs. GVWR	27 inches	29 inches
Vehicles 7,501 lbs. to 10,000 lbs. GVWR	28 inches	30 inches

Sec. 9. 29 MRSA §2506, sub-§2, as enacted by PL 1979, c. 464, §5, is repealed and the following enacted in its place:

2. Certain vehicles in transit. New or used motor vehicles operated by dealers or holders of a transporter registration certificate or their authorized representatives only from a point of purchase to the licensee's place of business. Points of purchase shall include auto auctions, distribution centers and other licensed vehicle dealers.

This subsection does not allow the operation on a public way of an unsafe motor vehicle to the licensee's place of business;

Sec. 10. 29 MRSA §2521, first ¶, as amended by PL 1983, c. 370, §14, is further amended to read:

Whoever violates or fails to comply with the provisions of this chapter, except as otherwise provided, shall be guilty of a misdemeanor punishable by

a fine of not less than \$25 nor more than \$500 or by imprisonment for not more than 30 days, or by both.

Effective July 16, 1986.

CHAPTER 686

H.P. 1644 - L.D. 2318

AN ACT to Require Emergency Vehicles to Stop
and Proceed with Caution when
Overtaking and Passing School Buses.

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

Whereas, it is imperative to establish clear guidelines for authorized emergency vehicles to follow; and

Whereas, it is necessary to establish these clear guidelines while this school year is still active; and

Whereas, it is essential to give school bus operators clearer direction about dealing with authorized emergency vehicles which need to proceed quickly; 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:

29 MRSA §946-A, sub-§2, as enacted by PL 1981, c. 88, §2, is amended to read:

2. Parking; proceeding past stop sign; stopped school bus; exceeding speed limit. The driver of an authorized emergency vehicle may:

A. Park or stand, irrespective of the provisions of this chapter;