

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE

FIRST SPECIAL SESSION

October 9, 1987 to October 10, 1987

SECOND SPECIAL SESSION

October 21, 1987 to November 20, 1987

and the

SECOND REGULAR SESSION

January 6, 1988 to May 5, 1988

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

Twin City Printery
Lewiston, Maine
1988

PUBLIC LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE
FIRST AND SECOND SPECIAL SESSIONS
and
SECOND REGULAR SESSION
of the
ONE HUNDRED AND THIRTEENTH LEGISLATURE
1987

Whereas, Public Law 1987, chapter 68, subsection 2 established a committee to study the retirement system in order to ensure its fiscal soundness; and

Whereas, Public Law 1987, chapter 349, Part H, section 4 authorized a temporary increase to the limit of the State's Rainy Day Fund Program in order that resources necessary to fund the recommendations resulting from the aforementioned study could be set aside; and

Whereas, Public Law 1987, chapter 349, Part C, section 1 appropriated funds to the Rainy Day Fund Program in accordance with this intent of the Legislature; and

Whereas, Public Law 1987, chapter 348, section 2 allocated income to the Highway Fund for the same purpose; and

Whereas, the actual amounts needed to ensure the fiscal soundness of the Maine State Retirement System have now been determined; 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. 5 MRSA §1513, sub-§4, as enacted by PL 1987, c. 349, Pt. H, §4, is repealed.

Sec. 2. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	<u>1987-88</u>	<u>1988-89</u>
<u>FINANCE, DEPARTMENT OF</u>		
Rainy Day Fund Program		
Unallocated		\$(23,000,000)
<u>EDUCATIONAL AND CULTURAL SERVICES, DEPARTMENT OF</u>		
Teacher Retirement		
All Other	\$8,429,434	11,063,960
<u>MAINE STATE RETIREMENT SYSTEM, BOARD OF TRUSTEES</u>		
Retirement System - Retirement Allowance Account		
All Other	1,108,915	
TOTAL	<u>\$9,538,349</u>	<u>\$(11,936,040)</u>

Sec. 3. Allocation. In order to provide for the full costs of employee retirement contributions for fiscal

years 1987-88 and 1988-89 the following sums are allocated from the Highway Fund.

	<u>1987-88</u>	<u>1988-89</u>
<u>MAINE STATE RETIREMENT SYSTEM, BOARD OF TRUSTEES</u>		
Reserve for Future Funding - State Employees		
All Other		\$(1,365,839)
Retirement System -- Retirement Allowance Fund		
All Other	\$336,264	
Total	<u>\$336,264</u>	<u>\$(1,365,839)</u>

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved, except that section 1 shall take effect on July 2, 1988.

Effective April 27, 1988, unless otherwise indicated.

CHAPTER 789

H.P. 1930 — L.D. 2630

AN ACT to Amend the Motor Vehicle Laws and to Allocate Funds to the Division of Motor Vehicles.

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

Whereas, it is necessary that the clarifications and corrections in this bill be resolved as soon as possible in order to prevent hardship to the citizens of Maine; and

Whereas, in order to have appropriate space available for the Division of Motor Vehicles at the most reasonable cost, it is necessary to proceed expeditiously; 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. 25 MRSA §2103-A, as enacted by PL 1983, c. 736, §4 is amended to read:

§2103-A. Adoption of rules

The Commissioner of Public Safety shall, in accordance with the Maine Administrative Procedure Act, Title 5,

chapter 375, adopt by reference the rules as found in the 49 Code of Federal Regulations, Parts 107, 171, 172, 173, 174, 177, 178, 179, 387 and 397, as amended. For purposes of this section, "as amended" means those Federal Regulations effective on the effective date of this section. If any part of this chapter is found to be in violation of the United States Constitution or the Constitution of Maine, it shall have no effect on the remaining parts of this chapter.

Sec. 2. 29 MRSA §1, sub-§12, as amended by PL 1983, c. 455, §4, is further amended to read:

12. Semitrailer. "Semitrailer" means any vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so designed that some part of its weight and of its load rests upon or is carried by that motor vehicle, and shall include pole dollies, pole dickeys, so called, and wheels commonly used as a support for the ends of logs or other long articles, but excluding tow dollies and camp trailers.

Sec. 3. 29 MRSA §1, sub-§14-A is enacted to read:

14-A. Stinger-steered autotransporter. A stinger-steered autotransporter is a combination vehicle consisting of a tractor and semitrailer designed and used specifically for the transport of assembled highway vehicles wherein the fifth wheel is located on a drop frame located behind and below the rear-most axle of the power unit.

Sec. 4. 29 MRSA §102, 3rd ¶, as enacted by PL 1985, c. 429, §9, is repealed.

Sec. 5. 29 MRSA §114, 2nd ¶, as amended by PL 1987, c. 149, is further amended to read:

The Secretary of State is authorized to design and issue registration plates for antique autos, horseless carriages and street rods. These plates shall bear the inscriptions "Antique Auto," "Horseless Carriage" or "Street Rod" and "Maine." Present owners of antique motor vehicles shall be permitted to keep their existing registration plate numbers for the new registration plates issued under this section. The Secretary of State shall allow the owner of an antique motor vehicle to use registration plates which were issued in the same year as the antique motor vehicle was manufactured, provided that the date of manufacture was 1942 or earlier and the motor vehicle is registered as an antique motor vehicle under this section. Any antique motor vehicle bearing registration plates with the year of manufacture must also carry, within it, a valid antique motor vehicle registration certificate and the antique motor vehicle registration plates matching the certificate. The registration plates from 1942 or earlier must have matching plate numbers, must be affixed to both the front and rear of the antique motor vehicle and must conspicuously bear the year of manufacture. The fee for registration of an antique auto or horseless carriage shall be \$10 \$12. The fee for registration of a street rod shall be \$25 \$27.

Sec. 6. 29 MRSA §242, sub-§1, ¶A, as amended by PL 1983, c. 94, Pt. C, §1, is repealed and the following enacted in its place:

A. Motor vehicles used for the conveyance of passengers shall pay a fee of \$22. Motor vehicles which are used interchangeably for the conveyance of passengers or property shall pay a fee of \$22. These vehicles shall be designated as "combinations" and may be issued a special plate with the word "Combination" in lieu of "Vacationland." Commercial plates shall not be issued to or displayed on automobiles.

Motor vehicles used for the conveyance of passengers which are operated exclusively on islands having no roads maintained or supported by the State shall be registered for a fee of \$2, and the municipality collecting excise tax for such vehicles may collect an additional \$4 fee to defray the cost of removing abandoned vehicles.

For the purpose of registration only, a pickup truck may be registered as provided for automobiles, provided that at no time may the gross weight of a pickup truck so registered exceed 6,000 pounds when used as a motor truck or truck tractor. The owner of such a pickup truck desiring a gross weight of the truck in excess of 6,000 pounds shall register the truck as provided in section 246.

The registration fee for an electrically-powered passenger vehicle with a gross vehicle weight of 6,000 pounds or less shall be \$10 greater than the registration fee for a similar vehicle powered by an internal combustion engine.

Sec. 7. 29 MRSA §242-A, first ¶, as repealed and replaced by PL 1979, c. 127, §165, is repealed and the following enacted in its place:

Special equipment shall be registered in accordance with this section to be drawn or to remain on any way in this State.

	Fee
<u>From 1 to 2,000 pounds</u>	<u>\$7</u>
<u>From 2,001 to 5,000 pounds</u>	<u>\$12</u>
<u>Over 5,000 pounds</u>	<u>\$17</u>

Sec. 8. 29 MRSA §244, as amended by PL 1987, c. 199, §1, is repealed and the following enacted in its place:

§244. Trailers

1. Registration fees. The annual fees for the registration of trailers and camp trailers shall be in accordance with this subsection and shall accompany the application for registration.

A. The registration fee for trailers shall be \$8.50 for a gross weight not to exceed 2,000 pounds. The maximum fee for all farm trailers, whether semitrailers or 4-wheeled type, equipped with pneumatic tires, shall be \$8.50 for each trailer when the trailers are used and to be used by farmers for the sole purpose of transporting their own farm products, crops, fertilizers and farm tools and utensils, subject to the further conditions and limitations that:

(1) No such load so transported may at any time exceed 4 tons; and

(2) No such load may be transported a distance greater than 20 miles from the point of origin to the point of destination.

B. Trailers having a gross weight in excess of 2,000 pounds shall be classified and rated as trucks. All boat trailers registered for a gross weight in excess of 2,000 pounds but not more than 4,000 pounds shall pay a registration fee of \$8.50.

C. Camp trailers having a gross weight exceeding 2,000 pounds shall be assessed a registration fee of \$16.

D. Mobile homes shall be registered and be assessed a fee of \$8.50 for that registration.

A violation of any of the terms and conditions of this subsection shall automatically disqualify the violator from the benefits of this subsection.

2. Limitation on drawn trailers. Only one trailer or semitrailer shall be drawn by a motor vehicle, except that combinations of truck tractor, semitrailer and full trailer may be operated on the Interstate Highway System and those qualifying federal aid primary system highways designated by the Secretary of the United States Department of Transportation, pursuant to the United States Surface Transportation Assistance Act of 1982, Public Law 97-424, Section 411, provided that driveway and towaway operations, as defined by the Bureau of State Police, may include a combination of saddlemount vehicles not to exceed 3 units in contact with the surface of the highway.

3. Converted semitrailers. A semitrailer converted to a trailer by use of a converter dolly shall remain a semitrailer for all other purposes in this Title and such a combination shall be considered as one vehicle while so connected.

4. Maximum length limits. The following maximum length limits shall apply.

A. No vehicle may exceed a length of 45 feet overall, including all structural parts of the vehicle, permanent or temporary, and any load carried on or in the vehicle.

B. A combination of truck tractor and full trailer or

truck tractor and semitrailer shall not exceed 65 feet in length, including all structural parts of the vehicle, permanent or temporary, and any load carried on or in the vehicle. Trailers or semitrailers shall not exceed 48 feet in length, including all structural parts of the vehicle, permanent or temporary, and provided that for trailers or semitrailers in excess of 45 feet the distance as measured between the center of the rear-most truck tractor axle and the center of the rear-most trailer axle shall not exceed 38 feet in length.

(1) The load on any vehicle combination utilized exclusively for the transportation of tree-length logs may extend rearward beyond the body of the vehicle by 8 1/2 feet, provided that not more than 25% of the length of the logs extend beyond the body of the vehicle combination.

(2) A combination of truck tractor and full trailer or truck tractor semitrailer may be operated on the Interstate Highway System and those qualifying federal aid primary system highways designated by the Secretary of the United States Department of Transportation pursuant to the United States Surface Transportation Assistance Act of 1982, Public Law 97-424, Section 411, with an overall length in excess of 65 feet, provided that the trailer or semitrailer does not exceed 48 feet in length.

(3) A combination of truck tractor, semitrailer and full trailer may be operated on the Interstate Highway System and those qualifying federal aid primary system highways designated by the Secretary of the United States Department of Transportation, pursuant to the United States Surface Transportation Assistance Act of 1982, Public Law 97-424, Section 411, with an overall length in excess of 65 feet, provided that no semitrailer or trailer operating in such vehicle combination may exceed 28.5 feet in length.

(4) A stinger-steered autotransporter may be operated on the Interstate Highway System and those qualifying federal aid primary system highways designated by the Secretary of the United States Department of Transportation pursuant to the United States Surface Transportation Assistance Act of 1982, Public Law 97-424, Section 411, with an overall length not to exceed 75 feet.

Notwithstanding any other provision of the law, combination vehicles designed for the transportation of automobiles shall be permitted a front overhang of not more than 3 feet and a rear overhang of not more than 4 feet. These overhangs shall be in addition to the length limits authorized in this section.

(5) The overall length of trailers and semitrailers shall not include the space occupied by refrigeration units or other nonload-carrying appurtenances which may be permitted by federal regulation.

C. Fire department vehicles and disabled motor vehicles being towed to a repair facility are exempted from the length restrictions set out in this subsection.

From 70,001 pounds gross weight to 75,000 pounds gross weight \$472

From 75,001 pounds gross weight to 80,000 pounds gross weight \$502

D. The Commissioner of Transportation shall promulgate rules, not inconsistent with the provisions of the United States Surface Transportation Assistance Act of 1982, Public Law 97-424, to ensure reasonable access to vehicles, as set forth in paragraph B, subparagraphs (2), (3) and (4), between the Interstate Highway System and any other qualifying federal aid primary system highways, as designated by the Secretary of the United States Department of Transportation, and terminals, facilities for food, fuel, repairs and rest and points of loading and unloading for household goods carriers.

The movement over the highways of any special mobile equipment, the weight of which is in excess of the gross or axle weight limits set forth in section 1652, shall be subject to section 1703, and permits to move the equipment shall be obtained accordingly.

5. Special mobile equipment. Registration for special mobile equipment is as follows.

6. Circus and carnival trailers. Circus and carnival trailers or semitrailers unloaded from railroad cars and hauled to and from the midway on circus or carnival grounds shall be exempt from fees for the registration and licensing of such trailers or semitrailers. This subsection shall apply only to circus and carnival trailers or semitrailers moved to or from railroad stations or railroad sidings nearest the grounds where the circus or carnival show is held.

A. Class B special mobile equipment, which is permanently mounted on a traction unit or motor chassis, shall be registered and a fee of \$17 shall be paid for registration in lieu of all other registration fees. Registration under this subsection shall not include any vehicle which may be used for the conveyance of property except hand tools or parts which are used in connection with the operation of that equipment, except that road construction or maintenance machinery coming under the definition of special mobile equipment may be used for the transportation of earth on that portion of the highway actually under construction. Such special mobile equipment may be operated unloaded over the highway between construction projects and to or from the place where these vehicles are customarily kept, if a permit for such movement is first obtained in accordance with section 1703. The movement over the highways of any of such equipment, the weight of which is in excess of 10 tons, shall be subject to section 1703 and permits to move the equipment shall be obtained accordingly.

Sec. 9. 29 MRSA §245, first ¶, as amended by PL 1981, c. 492, Pt. E, §8, is further amended to read:

The annual fees for the registration of semitrailers shall be in accordance with this section and shall accompany the application for registration.

Semitrailer \$15 \$16 each.

Sec. 10. 29 MRSA §246, first ¶, as repealed and replaced by PL 1985, c. 812, Pt. A, §2, is repealed and the following enacted in its place:

B. Class A special mobile equipment, which is permanently mounted on a traction unit or motor vehicle chassis, shall be operated under an annual permit. The fee for permits for any such equipment, the gross weight of which is 54,000 pounds or less, shall be in accordance with the registration fee schedule established by section 246 for farm motor trucks. For any such equipment, the gross weight of which is in excess of 54,000 pounds, the fee shall be in accordance with the following schedule:

With each application for registration of motor trucks, tractors and truck tractors shall be paid an annual registration fee graduated as follows when equipped with pneumatic tires:

From 0 pounds gross weight to 6,000 pounds gross weight \$22

From 6,001 pounds gross weight to 9,000 pounds gross weight \$28

From 9,001 pounds gross weight to 12,000 pounds gross weight \$45

From 12,001 pounds gross weight to 14,000 pounds gross weight \$78

From 14,001 pounds gross weight to 16,000 pounds gross weight \$102

From 16,001 pounds gross weight to 18,000 pounds gross weight \$127

From 18,001 pounds gross weight to 20,000 pounds gross weight \$158

From 20,001 pounds gross weight to 23,000 pounds gross weight \$185

From 54,001 pounds gross weight to 60,000 pounds gross weight \$382

From 60,001 pounds gross weight to 65,000 pounds gross weight \$412

From 65,001 pounds gross weight to 70,000 pounds gross weight \$442

<u>From 23,001 pounds gross weight to 26,000 pounds gross weight</u>	<u>: \$217</u>
<u>From 26,001 pounds gross weight to 28,000 pounds gross weight</u>	<u>\$262</u>
<u>From 28,001 pounds gross weight to 32,000 pounds gross weight</u>	<u>\$303</u>
<u>From 32,001 pounds gross weight to 34,000 pounds gross weight</u>	<u>\$337</u>
<u>From 34,001 pounds gross weight to 38,000 pounds gross weight</u>	<u>\$374</u>
<u>From 38,001 pounds gross weight to 40,000 pounds gross weight</u>	<u>\$398</u>
<u>From 40,001 pounds gross weight to 42,000 pounds gross weight</u>	<u>\$421</u>
<u>From 42,001 pounds gross weight to 45,000 pounds gross weight</u>	<u>\$445</u>
<u>From 45,001 pounds gross weight to 48,000 pounds gross weight</u>	<u>\$492</u>
<u>From 48,001 pounds gross weight to 51,000 pounds gross weight</u>	<u>\$528</u>
<u>From 51,001 pounds gross weight to 54,000 pounds gross weight</u>	<u>\$563</u>
<u>From 54,001 pounds gross weight to 55,000 pounds gross weight</u>	<u>\$575</u>
<u>From 55,001 pounds gross weight to 60,000 pounds gross weight</u>	<u>\$635</u>
<u>From 60,001 pounds gross weight to 65,000 pounds gross weight</u>	<u>\$694</u>
<u>From 65,001 pounds gross weight to 69,000 pounds gross weight</u>	<u>\$757</u>
<u>From 69,001 pounds gross weight to 72,000 pounds gross weight</u>	<u>\$792</u>
<u>From 72,001 pounds gross weight to 75,000 pounds gross weight</u>	<u>\$816</u>
<u>From 75,001 pounds gross weight to 78,000 pounds gross weight</u>	<u>\$852</u>
<u>From 78,001 pounds gross weight to 80,000 pounds gross weight</u>	<u>\$872</u>

equipped with axles other than so-called dolly axles falling under section 1652, subsection 4, paragraph A, subparagraph (6), or farm motor trucks towing a trailer or semitrailer when those trucks are used primarily for transportation of agricultural commodities, supplies or equipment to be used in connection with the operation of a farm or farms owned, operated or occupied by the registrant, shall be as follows:

<u>From 0 pounds gross weight to 6,000 pounds gross weight</u>	<u>\$18</u>
<u>From 6,001 pounds gross weight to 9,000 pounds gross weight</u>	<u>\$21</u>
<u>From 9,001 pounds gross weight to 11,000 pounds gross weight</u>	<u>\$24</u>
<u>From 11,001 pounds gross weight to 14,000 pounds gross weight</u>	<u>\$36</u>
<u>From 14,001 pounds gross weight to 16,000 pounds gross weight</u>	<u>\$47</u>
<u>From 16,001 pounds gross weight to 18,000 pounds gross weight</u>	<u>\$69</u>
<u>From 18,001 pounds gross weight to 20,000 pounds gross weight</u>	<u>\$81</u>
<u>From 20,001 pounds gross weight to 23,000 pounds gross weight</u>	<u>\$98</u>
<u>From 23,001 pounds gross weight to 26,000 pounds gross weight</u>	<u>\$116</u>
<u>From 26,001 pounds gross weight to 29,000 pounds gross weight</u>	<u>\$141</u>
<u>From 29,001 pounds gross weight to 32,000 pounds gross weight</u>	<u>\$161</u>
<u>From 32,001 pounds gross weight to 35,000 pounds gross weight</u>	<u>\$237</u>
<u>From 35,001 pounds gross weight to 38,000 pounds gross weight</u>	<u>\$260</u>
<u>From 38,001 pounds gross weight to 42,000 pounds gross weight</u>	<u>\$283</u>
<u>From 42,001 pounds gross weight to 46,000 pounds gross weight</u>	<u>\$306</u>
<u>From 46,001 pounds gross weight to 50,000 pounds gross weight</u>	<u>\$329</u>
<u>From 50,001 pounds gross weight to 54,000 pounds gross weight</u>	<u>\$352</u>

Sec. 11. 29 MRSA §246, 6th ¶, as amended by PL 1987, c. 499, §1, is repealed and the following enacted in its place:

The annual fee for registration of farm motor trucks,

Sec. 12. 29 MRSA §247, as amended by PL 1985, c. 506, Pt. A, §55, is further amended to read:

§247. Antique motor vehicles

The annual fees for the registration of antique motor vehicles shall be in accordance with this section and shall accompany the application for registration.

Antique motor vehicles \$10 \$12 each.

Sec. 13. 29 MRSA §249, as amended by PL 1985, c. 694, §1, is further amended to read:

§249. Motorcycles

The annual fees for the registration of motorcycles shall be in accordance with this section and shall accompany the application for registration.

Motorcycles \$17 \$18 each.

Mopeds \$5 \$6 each.

Sec. 14. 29 MRSA §252-E, 2nd ¶, as enacted by PL 1985, c. 737, Pt. A, §80, is amended to read:

These special designating plates shall be of a design as determined by the Secretary of State, that is unique and not duplicated by any other design.

Sec. 15. 29 MRSA §252-G is enacted to read:

§252-G. Pearl Harbor survivors; special license plates

The Secretary of State, on application and upon evidence of payment of the excise tax required by Title 36, section 1482, shall issue a registration certificate and set of special designating plates to be used in lieu of regular registration plates to any person who served in the United States Armed Forces and who was stationed at Pearl Harbor, Oahu, Hawaii during the attack by Japanese forces on December 7, 1941, when that application is accompanied by appropriate military certification verifying the applicant's service at Pearl Harbor during the attack. This special license plate is issued specifically to Pearl Harbor survivors and the privilege of using the special plate is not transferable.

These special designating plates shall be of a design as determined by the Secretary of State.

Sec. 16. 29 MRSA §780, sub-§§1 and 2, as enacted by PL 1987, c. 341, section 3, are amended to read:

1. Requirement. Every operator or owner of a motor vehicle, trailer or semitrailer registered in this State shall maintain at all times the amounts of motor vehicle liability insurance or financial responsibility specified in section 787.

2. Evidence of insurance or financial responsibility. Every operator or owner of a motor vehicle, trailer or semitrailer registered in this State shall present evidence of motor vehicle liability insurance or financial respon-

sibility upon the request of a law enforcement officer if the operator is stopped for a moving violation or is involved in an accident which shall be reported under section 891.

Sec. 17. 29 MRSA §780, sub-§7-A is enacted to read:

7-A. Exemption. The provisions of this section shall not apply to vehicles owned or controlled by a dealer as defined by chapter 5, subchapter III-A, nor to any vehicle registered by the Secretary of State as a vehicle for hire.

Sec. 18. 29 MRSA §1111-A is enacted to read:

§1111-A. No abandonment on islands

No person may abandon a motor vehicle on any property on an island without consent of the owner of the property. The State, municipality or other political subdivision having jurisdiction over the island may order the owner of a vehicle illegally abandoned on an island to remove it at the vehicle owner's expense. If the owner of the vehicle refuses to remove it, or if the owner is unknown, the State or political subdivision may cause the vehicle to be removed from the island and may require reimbursement from the owner for the removal and the administrative and legal costs. Neither the State nor any political subdivision of the State is liable for any damage to the motor vehicle that may be caused by the removal. Failure to remove an illegally abandoned vehicle on an island within 30 days after written warning, or within 30 days of "ice-out" if ice prevents the island from being reasonably accessible, is a Class E crime.

Sec. 19. 29 MRSA §1366, 4th ¶, as repealed and replaced by PL 1987, c. 415, §26, is repealed and the following enacted in its place:

Every vehicle shall be equipped with at least one lamp on the rear, in the center or to the left of its axis, capable of displaying a red light visible for a distance of at least 100 feet behind the vehicle. Any vehicle manufactured with 2 such lamps on the rear, one to the right of its axis and one to the left of its axis, shall be required to be equipped with both. When a vehicle is used in conjunction with another vehicle or vehicles, only the last of the vehicles shall be required to carry the lamp or lamps.

Sec. 20. 29 MRSA §2183, as repealed and replaced by PL 1983, c. 818, §19, is repealed and the following enacted in its place:

§2183. Improper plates

No person may attach or permit to be attached to a vehicle a registration plate assigned to another vehicle or a registration plate not currently assigned to that vehicle. No person may obscure or permit to be obscured numbers, letters, words, illustrations, seals or other dis-

tinguishing marks on any registration plate attached to a vehicle which was assigned to that vehicle by the Secretary of State. Vehicle registration plates shall always be properly displayed.

Whoever violates this section is guilty of a Class E crime.

Sec. 21. 29 MRSA §2243-A, first ¶, as amended by PL 1987, c. 79, §§3 and 7, is further amended to read:

Notwithstanding any other provisions of this Title, the Secretary of State, in concurrence with the Commissioner of Transportation, is authorized to enter into reciprocal agreements or plans on behalf of the State of Maine with the appropriate authorities of any of the states of the United States, the District of Columbia or any state or province of any country providing for the registration of vehicles on any apportionment or allocation basis and may, in the exercise of this authority, enter into and become a member of the International Registration Plan with an entry date of January 1, 1990.

Sec. 22. 29 MRSA §2507-A, sub-§1, ¶B is enacted to read:

B. Fleets of 5 or more vehicles with a common registration expiration month may continue to have an uncommon inspection and registration expiration. The effective date of this paragraph shall be April 1, 1989.

Sec. 23. 29 MRSA §2508-A is enacted to read:

§2508-A. Enforcement of an uncommon expiration of inspection and registration certificates

The owner or operator of a vehicle operated with a valid certificate of inspection and a valid registration certificate which have uncommon expiration dates in violation of section 2502, subsection 3, shall not be issued a summons to court but shall be issued a warning in a form to be designated by the Chief of the Maine State Police. This warning shall state that the owner or operator shall within 2 business days therefrom cause the vehicle to be inspected in accordance with this chapter. Failure to comply with the provisions of a warning issued pursuant to this section is a violation punishable in accordance with section 2521. The effective date of this section shall be April 1, 1989.

Sec. 24. Public Law 1987, c. 397, §10 is amended to read as follows:

Sec. 10. Effective date. The effective date of this Act is July 1, 1988 April 1, 1989.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved, except that sections 5 to 13 shall take effect July 1, 1988, and section 21 shall take effect January 1, 1989.

Effective April 27, 1988, unless otherwise indicated.

CHAPTER 790

H.P. 1748 — L.D. 2397

AN ACT to Require Licensure of Certain Railroad Personnel.

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

Whereas, in order for the Board of Licensure of Railroad Personnel to have time to establish licensing procedures and for individuals required under this Act to obtain licenses to have time to pass the requirements by December 15, 1988, the board needs to be appointed and start to work as soon as possible; 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. 5 MRSA §12004, sub-§1, ¶A, sub-¶(34-A) is enacted to read:

(34-A)	<u>Board of Licensure of Railroad Personnel</u>	<u>Expenses Only</u>	<u>32 MRSA §4145</u>
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Sec. 2. 32 MRSA c. 60 is enacted to read:

CHAPTER 60

RAILROAD PERSONNEL

SUBCHAPTER I

GENERAL PROVISIONS

§4140. Declaration of purpose

The purpose of this chapter is to provide for the safety of property, railroad workers and the general public by requiring certain railroad personnel to demonstrate adequate training and competency.

§4141. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Applicant. "Applicant" means the individual who wishes to act as a brakeman, carman, conductor, flagman, locomotive operator or train dispatcher.

2. Board. "Board" means the Board of Licensure of Railroad Personnel.