

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

SECOND SPECIAL SESSION

December 12, 1991 to January 7, 1992

SECOND REGULAR SESSION

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J.S. McCarthy Company
Augusta, Maine
1992

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION

of the
ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

For vehicles operating under this paragraph, gross vehicle weight violations are determined on the basis of 90,000 pounds.

Sec. 3. 29 MRSA §1652, sub-§1, ¶H is enacted to read:

H. The axle and gross weight limits enumerated in this paragraph supersede those enumerated in section 1655. A combination vehicle consisting of a 4-axle single unit truck operating in combination with a 2-axle trailer may be operated, or caused to be operated, with a maximum gross weight of 94,000 pounds if the following conditions are met.

(1) The trailer unit is registered for a minimum of 28,000 pounds gross weight and the combined registered weight of the truck and trailer unit is at least 85,000 pounds gross weight.

(2) A special commodity permit is obtained from the Secretary of State in accordance with section 1655 and carried in the vehicle at all times.

(3) Only those commodities permitted under section 1655 may be carried when a vehicle is being operated at a gross vehicle weight exceeding 80,000 pounds.

(4) The following single axle weights may not be exceeded.

(a) For a steering axle, the limit is the lesser of 14,000 pounds or the weight limit provided by subsection 2, paragraph C.

(b) For 2 to 4 truck axles, the limit is 20,000 pounds for each axle.

(c) For trailer axles, the limit is 18,000 pounds for each axle.

(5) The gross weight of the triaxle, which is the sum of the weight of the 2nd, 3rd and 4th axles of the truck, may not exceed 50,000 pounds.

(6) When operating at a gross vehicle weight exceeding 88,000 pounds, all liftable axles of the vehicle must be in full contact with the ground at all times.

(7) The "percent over basic weight" used to calculate fines for weight violations by the vehicle under sections 1654 and 1654-A must be based upon a gross vehicle weight limit of 85,000 pounds or upon the axle weight limits

enumerated in subparagraphs (4) and (5), as appropriate;

(8) The following vehicle dimensions must be met.

| | <u>At Least</u> | <u>Not to Exceed</u> |
|-------------------------------|-----------------|----------------------|
| <u>Overall Vehicle Length</u> | --- | 65 ft. 0 in. |
| <u>Axle 1 to Axle 6</u> | 56 ft. 10 in. | 58 ft. 10 in. |
| <u>Axle 1 to Axle 2</u> | 13 ft. 6 in. | 18 ft. 4 in. |
| <u>Axle 2 to Axle 3</u> | 3 ft. 8 in. | 5 ft. 0 in. |
| <u>Axle 3 to Axle 4</u> | 3 ft. 8 in. | 5 ft. 0 in. |
| <u>Axle 4 to Axle 5</u> | 12 ft. 11 in. | 17 ft. 6 in. |
| <u>Axle 5 to Axle 6</u> | 15 ft. 2 in. | 20 ft. 7 in. |

Axle distances are measured from axle center to axle center.

(9) All brakes, axles and suspensions of both the truck and trailer units must be certified with respect to weight capacity by a final stage manufacturer. Separate certifications for the truck and trailer units must be filed with the Secretary of State on forms prescribed by the Secretary of State. A copy of the certification for each unit must be carried in the vehicle at all times.

Nothing contained in this paragraph is applicable to vehicles operating on the Interstate Highway System, as defined in the Federal Aid Highway Act of 1956.

Sec. 4. 29 MRSA §1656, first ¶, as repealed and replaced by PL 1983, c. 94, Pt. B, §18, is amended to read:

Except as provided in ~~section~~ sections 1652 and 1655, no person may operate, or cause to be operated, any vehicle with a gross weight that is more than 2 1/2% or 500 pounds, whichever is the greater, above the gross weight specified in the registration certificate for these vehicles, provided that no vehicle or combination of vehicles may be operated on the highway with a gross weight that exceeds those limits established by this Title.

See title page for effective date.

CHAPTER 692

S.P. 800 - L.D. 1999

An Act to Clarify the Definition of Resident as it Pertains to Marine Resource Licenses

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

12 MRSA §6301, sub-§1, as enacted by PL 1977, c. 661, §5, is amended to read:

1. Resident license. Any individual who has been domiciled in Maine for the 6 months preceding the date of his application is eligible for a resident license. A corporation ~~shall be~~ is eligible for a resident license if it has been created and exists under the laws of Maine; and it has existed in Maine during the 6 months preceding the date of application. A firm or partnership ~~shall be~~ is eligible if all of its officers or partners have been domiciled in Maine for the 6 months preceding the date of application.

For the purposes of this chapter, a resident is a person who:

A. If registered to vote, is registered in Maine;

B. If licensed to drive a motor vehicle, has made application for a Maine motor vehicle operator's license;

C. If the owner of one or more motor vehicles located within the State, has registered at least one of the motor vehicles in Maine; and

D. If required to file a Maine income tax return on the previous April 15th, filed a Maine income tax return.

See title page for effective date.

CHAPTER 693

H.P. 1455 - L.D. 2067

An Act to Simplify and Reduce the Cost of State Mapping Efforts

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

Sec. 1. 38 MRSA §480-B, sub-§10, as enacted by PL 1987, c. 809, §2, is amended to read:

10. Significant wildlife habitat. "Significant wildlife habitat" means the following areas to the extent that they have been mapped by the Department of Inland Fisheries and Wildlife or entered into the state geographic information system pursuant to section 546-B: Habitat habitat for species appearing on the official state or federal lists of endangered or threatened species; high and moderate value deer wintering areas and travel corridors as defined by the Department of Inland Fisheries and Wildlife; high and moderate value waterfowl and wading bird habitats, including nesting and feeding areas as defined by the Department of Inland Fisheries and Wildlife; critical spawning and nursery areas for Atlantic sea

run salmon as defined by the Atlantic Sea Run Salmon Commission; and shorebird nesting, feeding and staging areas and seabird nesting islands as defined by the Department of Inland Fisheries and Wildlife.

Sec. 2. 38 MRSA §480-I, sub-§1, as affected by PL 1989, c. 890, Pt. A, §40 and amended by Pt. B, §76, is further amended to read:

1. Identification by maps. The commissioner shall map areas meeting the definition of freshwater wetlands and fragile mountain areas set forth in this article and shall periodically review and revise the maps identifying these areas. The data developed under section 546-B may be used for mapping significant wildlife habitat. Maps of significant wildlife habitats must be adopted by rule pursuant to the Maine Administrative Procedure Act, ~~Title 5, chapter 375~~, to the extent that those habitats are identified by the Department of Inland Fisheries and Wildlife.

See title page for effective date.

CHAPTER 694

H.P. 1526 - L.D. 2155

An Act to Amend the Motor Vehicle Laws

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

Sec. 1. 29 MRSA §1, sub-§13-B is enacted to read:

13-B. Solid waste. "Solid waste" means useless, unwanted or discarded solid material with insufficient liquid content to be free-flowing, including, but not limited to, rubbish, garbage, refuse-derived fuel, scrap materials, junk, refuse, inert fill material and landscape refuse, but not including hazardous waste, biomedical waste, septic tank sludge or agricultural wastes. The fact that a solid waste or constituent of the waste may have value or other use or may be sold or exchanged does not exclude it from this definition.

Sec. 2. 29 MRSA §946-C, sub-§2, ¶C, as enacted by PL 1991, c. 444, §5, is amended by amending sub-¶¶(3) and (4) to read:

(3) A vehicle engaged in snow removal or sanding operations on a public way must be equipped with and display at least 2 auxiliary lights mounted on the highest practical point on the vehicle, ~~one showing to the front and one to the rear of the vehicle and provide visible light coverage over a 360° range.~~ The lights must emit an amber beam of light, be at least 6 inches in diameter and be