

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

THIRD SPECIAL SESSION

October 1, 1992 to October 6, 1992

FOURTH SPECIAL SESSION

October 16, 1992

ONE HUNDRED AND SIXTEENTH LEGISLATURE

FIRST REGULAR SESSION

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PUBLISHED BY THE REVISOR OF STATUTES
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J.S. McCarthy Company
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1993

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND SIXTEENTH LEGISLATURE

1993

Fisheries and Wildlife or ~~entered into the state geographic information system pursuant to section 546-B~~ are within any other protected natural resource: habitat, as defined by the Department of Inland Fisheries and Wildlife, 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-D, sub-§3, as affected by PL 1989, c. 890, Pt. A, §40 and amended by Pt. B, §72, is further amended to read:

3. Harm to habitats; fisheries. The activity will not unreasonably harm any significant wildlife habitat, freshwater wetland plant habitat, threatened or endangered plant habitat, aquatic habitat, travel corridor, freshwater, estuarine or marine fisheries or other aquatic life.

In determining whether there is unreasonable harm to significant wildlife habitat, the department may consider proposed mitigation if that mitigation does not diminish in the vicinity of the proposed activity the overall value of significant wildlife habitat and species utilization of the habitat and if there is no specific biological or physical feature unique to the habitat that would be adversely affected by the proposed activity. For purposes of this subsection, "mitigation" means any action taken or not taken to avoid, minimize, rectify, reduce, eliminate or compensate for any actual or potential adverse impact on the significant wildlife habitat, including the following:

- A. Avoiding an impact altogether by not taking a certain action or parts of an action;
- B. Minimizing an impact by limiting the magnitude, duration or location of an activity or by controlling the timing of an activity;
- C. Rectifying an impact by repairing, rehabilitating or restoring the affected environment;
- D. Reducing or eliminating an impact over time through preservation and maintenance operations during the life of the project; or
- E. Compensating for an impact by replacing the affected significant wildlife habitat.

Sec. 3. 38 MRSA §480-E, sub-§3, ¶A, as enacted by PL 1989, c. 656, §4, is amended to read:

A. The applicant has collected and tested the dredge spoils in accordance with a protocol approved by the commissioner. ~~The collection, testing and forwarding of the results of the tests to the commissioner must occur within one year before the submission of a completed application.~~

Sec. 4. 38 MRSA §480-Q, sub-§11, as amended by PL 1991, c. 240, §2, is further amended to read:

11. Soil evaluation. Borings taken to evaluate soil conditions in or adjacent to a great pond, river, stream or brook, coastal wetland, freshwater wetland or sand dune are exempt from the provisions of this article provided that no area of wetland vegetation is destroyed or permanently removed; ~~and~~

Sec. 5. 38 MRSA §480-Q, sub-§12, ¶E, as enacted by PL 1991, c. 240, §3, is amended to read:

E. A notice of intent to maintain, repair or reconstruct the access way and the description of the work to be completed are submitted to the commissioner and to the municipal reviewing authority at least 20 days before the work is performed; ~~and~~

Sec. 6. 38 MRSA §480-Q, sub-§13 is enacted to read:

13. Subsurface wastewater disposal systems. Installation, removal or repair of a subsurface wastewater disposal system, as long as the system complies with all requirements of the subsurface wastewater disposal rules adopted by the Department of Human Services under Title 22, section 42, subsection 3.

Sec. 7. Effective date. Section 6 of this Act takes effect on March 1, 1994.

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

Effective June 9, 1993, unless otherwise indicated.

CHAPTER 297

H.P. 1057 - L.D. 1409

An Act to Amend Certain Motor Vehicle Laws

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

Whereas, Maine's participation in the International Registration Plan is required by the Federal Government; and

Whereas, participation in the International Registration Plan offers administrative efficiency benefits to both State Government and motor carriers; and

Whereas, realizing the benefits of the International Registration Plan at the earliest date possible is desirable; 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:

PART A

Sec. A-1. 29 MRSA §1, sub-§18-B is enacted to read:

18-B. Trolley trailer. “Trolley trailer” means a trailer equipped with permanent seats that face forward, are parallel to each other and have devices at each end to prevent a passenger from falling from the trailer when it is in motion. A “trolley trailer” has a maximum seating capacity of 24 passengers.

Sec. A-2. 29 MRSA §52-A, 5th ¶, as enacted by PL 1981, c. 85, is amended to read:

Any municipal agent authorized to issue registrations and renewals or renewals only may also be authorized to issue renewals of operator's licenses after having satisfactorily participated in special training as prescribed by the Secretary of State. Agents may charge any applicant a fee not to exceed ~~\$1~~ \$2 over and above the required operator license fee for each renewal issued, the service charge to be retained by the municipality.

Sec. A-3. 29 MRSA §52-C is enacted to read:

§52-C. Appointment of agents for renewal of operator's licenses only

The Secretary of State may appoint agents authorized solely to issue renewals of operator's licenses and stationed at convenient locations in the State. Agents may charge an applicant a fee not to exceed \$2 over the required operator's license fee for each renewal issued. The agent retains the additional \$2 fee and forwards all other fees to the Secretary of State.

Renewal agents appointed pursuant to this section are not authorized to issue registrations or initial operator's licenses.

Sec. A-4. 29 MRSA §102-A, sub-§2, as amended by PL 1991, c. 793, §3 and c. 837, Pt. A, §62, is repealed and the following enacted in its place:

2. Method of establishing evidence of insurance.

A person establishes insurance by showing the vehicle insurance identification card as defined by section 781, subsection 1, paragraph A-2, a letter from an insurance company or agent showing that the vehicle is covered by a liability insurance policy, an insurance binder or an insurance policy that has a summary document that describes the vehicle insured, the name of the insured, the amount of insurance, the type of insurance coverage and the period the vehicle is covered to either the municipal agent or the Bureau of Motor Vehicles.

Sec. A-5. 29 MRSA §152, first ¶, as amended by PL 1981, c. 437, §2, is further amended to read:

~~Whoever~~ A person who transfers the ownership or discontinues the use of a registered motor vehicle, trailer or semitrailer and applies to the Secretary of State for registration of another motor vehicle, trailer or semitrailer in the same registration year shall be is entitled to a certificate of registration permitting the use of number plates of the proper class of registration ~~thereon on the motor vehicle, trailer or semitrailer~~ upon payment of a transfer fee of \$8, provided as long as the fee is the same as that of the former vehicle. If the fee for the vehicle to be registered is greater, ~~he~~ the person shall pay in addition to the transfer fee of \$8 the difference between the fee paid by ~~him~~ that person for the vehicle first registered and the fee for the vehicle to which the transfer is to be made. If application is made for a truck camper or trailer with a gross weight of 2,000 pounds or less, the transfer fee ~~shall be~~ is \$5. The certificate issued for the registration of the former vehicle ~~shall~~ must be returned to the ~~said~~ Secretary of State, showing that the ownership of ~~such~~ the vehicle has been transferred or its use discontinued and that the registration has been canceled.

Sec. A-6. 29 MRSA §191, sub-§2, as amended by PL 1991, c. 758, §2, is further amended to read:

2. Nonplate issue year. When a person fails to reregister during a nonplate issue year and the registration remains expired for ~~6~~ 8 consecutive months, the person's reservation of the same number may cease and the number becomes available for reissuance or reassignment, or both.

For a maximum of 2 registration years, a person may reserve the registration number assigned to that person by depositing with the Secretary of State the sum of \$10 for each year, except that the registered owner of an antique motor vehicle may reserve the antique registra-

tion assigned to that person for 4 years by depositing with the Secretary of State the sum of \$12 for each year.

A person wishing to select a number out of rotation may do so by paying the registration fee and a reserved number fee of \$5.

Sec. A-7. 29 MRSA §241, last ¶, as amended by PL 1975, c. 589, §6, is further amended to read:

Replacement registration validation devices for number plates ~~shall be~~ or truck campers are furnished to replace lost or mutilated validation devices for 50¢ each.

Sec. A-8. 29 MRSA §244, sub-§5, ¶B, as amended by PL 1989, c. 866, Pt. B, §5 and affected by §26, is further amended to read:

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

From 54,001 pounds gross weight to 60,000 pounds gross weight.....	\$382 <u>\$384</u>
From 60,001 pounds gross weight to 65,000 pounds gross weight.....	\$412 <u>\$414</u>
From 65,001 pounds gross weight to 70,000 pounds gross weight.....	\$442 <u>\$444</u>
From 70,001 pounds gross weight to 75,000 pounds gross weight.....	\$472 <u>\$474</u>
From 75,001 pounds gross weight to 80,000 pounds gross weight.....	\$502 <u>\$504</u>
<u>From 80,001 pounds gross weight to 90,000 pounds gross weight.....</u>	<u>\$564</u>

Sec. A-9. 29 MRSA §246, as amended by PL 1991, c. 837, Pt. A, §§65 and 66, is further amended to read:

§246. — —trucks

With each application for registration of motor trucks, tractors and truck tractors ~~shall there must 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
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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 23,001 pounds gross weight to 26,000 pounds gross weight.....	\$217
From 26,001 pounds gross weight to 28,000 pounds gross weight.....	\$262 <u>\$264</u>
From 28,001 pounds gross weight to 32,000 pounds gross weight.....	\$303 <u>\$305</u>
From 32,001 pounds gross weight to 34,000 pounds gross weight.....	\$337 <u>\$339</u>
From 34,001 pounds gross weight to 38,000 pounds gross weight.....	\$374 <u>\$376</u>
From 38,001 pounds gross weight to 40,000 pounds gross weight.....	\$398 <u>\$400</u>
From 40,001 pounds gross weight to 42,000 pounds gross weight.....	\$421 <u>\$423</u>
From 42,001 pounds gross weight to 45,000 pounds gross weight.....	\$445 <u>\$447</u>
From 45,001 pounds gross weight to 48,000 pounds gross weight.....	\$492 <u>\$494</u>
From 48,001 pounds gross weight to 51,000 pounds gross weight.....	\$528 <u>\$530</u>
From 51,001 pounds gross weight to 54,000 pounds gross weight.....	\$563 <u>\$565</u>
From 54,001 pounds gross weight to 55,000 pounds gross weight.....	\$575 <u>\$577</u>
From 55,001 pounds gross weight to 60,000 pounds gross weight.....	\$635 <u>\$637</u>
From 60,001 pounds gross weight to 65,000 pounds gross weight.....	\$694 <u>\$696</u>

From 65,001 pounds gross weight to 69,000 pounds gross weight.....	\$757 <u>\$759</u>
From 69,001 pounds gross weight to 72,000 pounds gross weight.....	\$792 <u>\$794</u>
From 72,001 pounds gross weight to 75,000 pounds gross weight.....	\$816 <u>\$818</u>
From 75,001 pounds gross weight to 78,000 pounds gross weight.....	\$852 <u>\$854</u>
From 78,001 pounds gross weight to 80,000 pounds gross weight.....	\$872 <u>\$874</u>
From 80,001 pounds gross weight to 90,000 pounds gross weight.....	\$977 <u>\$979</u>

~~For such owners of commercial vehicles, which are registered for a gross weight of 23,001 pounds or more; that attest their vehicle is and shall only be operated in the power unit semitrailer configuration a credit of \$40 shall be allowed for the original annual registration and shall be issued a commercial tractor registration plate to be displayed on the front of the vehicle.~~

~~When any such gross weight a permit is issued in accordance with section 1703, the gross weight allowed by the permit shall be is deemed to be the registered weight of the vehicle for the time and the conditions allowed by the permit.~~

~~Upon request, the Secretary of State may issue a special commercial weight registration certificate to be used in conjunction with any such gross weight permit.~~

~~That certificate shall be issued to Maine registered vehicles only and shall contain the make, year, vehicle identification number and the Maine registration number of the vehicle and shall provide that the gross weight of the vehicle shall be deemed to be the registered weight of the vehicle as allowed by any overweight permit issued to that vehicle for the time and the conditions allowed by the overweight permit. The annual fee for the certificate shall be \$5.~~

For trucks registered for more than 23,000 pounds gross weight that are used exclusively in a truck tractor-semitrailer configuration, the annual registration fee is reduced by \$40. The registrant must attest to the vehicle's configuration at the time of registration. The registrant is issued a single commercial tractor registration plate that must be displayed on the front of the vehicle.

The annual fee for registration of farm motor trucks, 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 is~~ as follows:

From 0 pounds gross weight to 6,000 pounds gross weight.....	\$18
From 6,001 pounds gross weight to 9,000 pounds gross weight.....	\$21
From 9,001 pounds gross weight to 11,000 pounds gross weight.....	\$24
From 11,001 pounds gross weight to 14,000 pounds gross weight.....	\$36
From 14,001 pounds gross weight to 16,000 pounds gross weight.....	\$47
From 16,001 pounds gross weight to 18,000 pounds gross weight.....	\$69
From 18,001 pounds gross weight to 20,000 pounds gross weight.....	\$81
From 20,001 pounds gross weight to 23,000 pounds gross weight.....	\$98
From 23,001 pounds gross weight to 26,000 pounds gross weight.....	\$116
From 26,001 pounds gross weight to 29,000 pounds gross weight.....	\$141 <u>\$143</u>
From 29,001 pounds gross weight to 32,000 pounds gross weight.....	\$161 <u>\$163</u>
From 32,001 pounds gross weight to 35,000 pounds gross weight.....	\$237 <u>\$239</u>
From 35,001 pounds gross weight to 38,000 pounds gross weight.....	\$260 <u>\$262</u>
From 38,001 pounds gross weight to 42,000 pounds gross weight.....	\$283 <u>\$285</u>
From 42,001 pounds gross weight to 46,000 pounds gross weight.....	\$306 <u>\$308</u>
From 46,001 pounds gross weight to 50,000 pounds gross weight.....	\$329 <u>\$331</u>
From 50,001 pounds gross weight to 54,000 pounds gross weight.....	\$352 <u>\$354</u>

The maximum registered weight of a farm motor truck ~~shall may~~ not exceed 54,000 pounds. The fine for a violation of the registered gross weight of a farm motor truck ~~shall be is~~ the difference between the fee for a farm motor truck and a commercially registered motor truck, tractor or truck tractor within the category of the actual weight at the time of the violation.

Farm motor trucks registered under this section may receive a ~~short-term permit~~ temporary registered gross weight increase in accordance with this section by paying a percentage of the difference between the amount paid for farm motor truck registration and the annual fee for the desired ~~tonnage weight~~ weight in accordance with the ~~permit~~ temporary registered gross weight increase table contained in this section.

The Secretary of State shall issue registration plates so designed that a farm motor truck registered under this section may be distinguished from commercial vehicles otherwise registered under this section. Farm motor trucks ~~shall~~ may be driven with that registration only if the vehicle is used primarily for the transportation of agricultural products produced on and meant to be used in connection with the operating of a farm or farms owned, operated or occupied by the registrant and ~~shall~~ may not be used for the transportation of firewood, unless that transportation is incidental to other farm operations. Trucks used for the retail delivery of milk or used on a substantially daily delivery schedule on established routes are not included as "farm trucks." ~~Any A~~ A person fraudulently obtaining a farm truck ~~license~~ registration or using a truck with a ~~license~~ registration plate marked for any purposes other than those authorized by this section shall ~~be fined~~ pay a fine of not less than \$100 nor more than \$500.

~~Every such~~ The owner of a vehicle equipped with 2 or more solid tires shall pay an additional fee of 33 1/3% more than ~~any~~ an owner of such a vehicle would be required to pay if ~~that vehicle were~~ equipped with pneumatic tires. ~~But no A~~ A vehicle shall ~~may not~~ not be operated on ways or bridges, either loaded or without load, that exceeds the limits prescribed in section 1652 or is contrary to any other section of this Title, or any other statute pertaining thereto.

~~When a truck is already registered, the owner may receive a short-term permit allowing the owner to haul loads of larger tonnage, if the loads are not in excess of the requirements of section 1652, for a limited period of 8 months or less. These short-term permits may be obtained, upon payment of the required fee, from any branch office of the Bureau of Motor Vehicles of the Secretary of State, from troop barracks of the Maine State Police as are designated by mutual agreement of the Commissioner of Public Safety and the Secretary of State, or from any agent of the Secretary of State who has been appointed for that specific purpose. Agents appointed by the Secretary of State may charge an applicant for a short-term permit \$1 extra over and above the required permit fee and may retain the dollar as compensation for performing this function. A permit may not be issued for less than one month and a permit may not extend beyond the expiration of the regular license. The appointment of agents is limited to either municipal tax collectors or town or city managers. The fee is a percentage of the difference between the owner's present~~

~~annual registration fee and the annual fee for the desired tonnage and is computed according to the following table:~~

1-month permit	20%
2-month permit	30%
3-month permit	40%
4-month permit	50%
5-month permit	60%
6-month permit	70%
7-month permit	75%
8-month permit	80%

~~When a truck is already registered, except for vehicles with apportioned registration, the owner may receive a short-term permit allowing the owner to haul loads of larger tonnage, if the loads are not in excess of the requirements of section 1652, for a limited period of 8 months or less. These short-term permits may be obtained, upon payment of the required fee, from any branch office of the Bureau of Motor Vehicles of the Secretary of State, from troop barracks of the Maine State Police that are designated by mutual agreement of the Commissioner of Public Safety and the Secretary of State, or from any agent of the Secretary of State who has been appointed for that specific purpose. Agents appointed by the Secretary of State may charge an applicant for a short-term permit \$1 extra over and above the required permit fee and may retain the dollar as compensation for performing this function. A permit may not be issued for less than one month and a permit may not extend beyond the expiration of the regular license. The appointment of agents is limited to either municipal tax collectors or town or city managers. The fee is a percentage of the difference between the owner's present annual registration fee and the annual fee for the desired tonnage and is computed according to the following table:~~

1-month permit	20%
2-month permit.....	30%
3-month permit	40%
4-month permit	50%
5-month permit	60%
6-month permit.....	70%
7-month permit	75%
8-month permit	80%

When a truck is properly base-registered in this State, the registrant may increase the registered gross weight of the truck upon application and payment of the proper fee. Temporary registered gross weight increases may be issued by the Bureau of Motor Vehicles, the Bureau of State Police or by any agent appointed by the Secretary of State who has been appointed for that specific purpose. Agents must be either municipal tax collectors or town or city managers.

Temporary registered gross weight increases must be issued for at least 2 months and may not exceed 8 months. A temporary registered gross weight increase may not extend beyond the expiration of the regular registration.

The fee for a temporary registered gross weight increase is the difference between the annual fee for the original registration and the annual fee for the desired temporary registered gross weight, multiplied by the percentage in the following table:

<u>2-month increase</u>	<u>30%</u>
<u>3-month increase</u>	<u>40%</u>
<u>4-month increase</u>	<u>50%</u>
<u>5-month increase</u>	<u>60%</u>
<u>6-month increase</u>	<u>70%</u>
<u>7-month increase</u>	<u>75%</u>
<u>8-month increase</u>	<u>80%</u>

Vehicles base-registered in this State pursuant to the International Registration Plan may be issued a temporary registered gross weight increase pursuant to this section. The fee is not apportionable and the temporary registered gross weight increase is valid only in this State or in a jurisdiction not a member of the International Registration Plan.

The Secretary of State may issue temporary registered gross weight increases by facsimile. The Secretary of State may make such provisions as the Secretary of State considers necessary to ensure the integrity of facsimile documents.

On any application by an owner of a farm motor truck having 2 or 3 axles, when such trucks are that truck is used primarily for transportation of agricultural produce; grown by the owner on his the owner's farm or farms, 1/2 the registration fee may be charged during the last 6 months of a registration year.

Except as provided by 26 Code of Federal Regulations, Section 41.6001-2(b)(3), effective May 23, 1985, no registration certificate may be issued for any heavy vehi-

cle subject to the use tax imposed by the United States Internal Revenue Code of 1954, Section 4481, until the applicant has presented proof of payment, in such form as prescribed by the Secretary of the United States Treasury.

The Secretary of State shall promulgate adopt such rules as he deems the Secretary of State considers necessary to implement this section; and shall keep such records and issue such evidence as he deems the Secretary of State considers necessary to comply with 26 Code of Federal Regulations, Part 41, revised as of May 23, 1985, and the United States Internal Revenue Code of 1954, Sections 4481, 4482 and 4483. Pursuant to rule, the Secretary of State may provide owners of vehicles with certification that their vehicles qualify for exemptions of the United States Heavy Vehicle Use Tax under 26 Code of Federal Regulations, Section 41.4483-3(g) or Section 41.4483-6(b), revised as of May 23, 1985.

The annual fee for registration of motor homes shall must be in accordance with the fee schedule established by this section for farm motor trucks.

The Secretary of State may select and issue a special distinguishing letter, mark or design for number plates issued to registrants of motor homes.

Sec. A-10. 29 MRSA §252-I, first ¶, as repealed and replaced by PL 1991, c. 869, §2, is amended to read:

Beginning September 1, 1992, the Secretary of State, on application and upon evidence of payment of the excise tax required by Title 36, section 1482, the registration fee required by section 242 and a one-time additional fee of \$5, shall issue a registration certificate and a set of special veterans registration plates to be used in lieu of regular registration plates to any person who has served in the United States Armed Forces and who has been honorably discharged. If a veteran is the primary driver of 2 vehicles, the Secretary of State may issue in accordance with this section a set of special veterans registration plates for each vehicle.

Sec. A-11. 29 MRSA §261, last ¶, as enacted by PL 1991, c. 788, §4, is amended to read:

Any resident person, firm or corporation, or owner as defined in section 1, who fails to register obtain a registration permit for a truck camper is guilty of an infraction with a minimum fine of \$100, except that a registration permit is not required for the 14-day period immediately following the purchase of a truck camper from a person who is engaged in the business of selling truck campers. Any person stopped for a violation of this section during the initial 12 months after this section takes effect must be issued a warning that a violation of this section has occurred. Failure to register the truck camper within 5 work days following the warning constitutes a violation of this section.

Sec. A-12. 29 MRSA §343, sub-§1, as repealed and replaced by PL 1985, c. 737, Pt. A, §82, is amended to read:

1. Facilities and personnel. To qualify as a dealer under this subchapter, the applicant ~~shall~~ must have and maintain at least the following facilities and personnel set forth in paragraphs A to E and make the following disclosures set forth in paragraph F:

- A. Proper facilities for the display of the vehicles being handled;
- B. Repair department for the repair of 2 vehicles simultaneously;
- C. Sufficient tools and equipment for proper servicing of the vehicles handled;
- D. A suitable office from which business is conducted and records of the business are kept;
- E. At least one mechanic, who may be the owner, who has a thorough knowledge of the vehicles being handled; and
- F. On all used motor vehicles being offered for sale, the written vehicle history statement required to be conspicuously affixed to the vehicle pursuant to Title 10, section 1475.

Each licensee shall maintain a current record of all full-time personnel, including but not limited to salespersons, the general manager, the sales manager and the service manager, employed at his the licensee's established place of business. The record must include the full name, date of birth, social security number and home address of each full-time employee and the position held by each. The record ~~shall~~ must at all times be available for inspection by the Secretary of State or ~~his~~ duly authorized agents of the Secretary of State.

Sec. A-13. 29 MRSA §343, sub-§2, as amended by PL 1985, c. 401, §5, is repealed and the following enacted in its place:

2. Exemptions. The following exemptions apply.

A. A person who held used car registration plates on January 1, 1964 is exempt from only those requirements under subsection 1, paragraphs B and E. However, the exemption from these requirements expires when a person who held used car dealer registration plates on January 1, 1964 sells or discontinues the business or is not licensed, using these exemptions, for the year beginning January 1, 1985.

B. A vehicle manufacturer who does not retail vehicles directly to the public is exempt from the

requirements under subsection 1, except the requirement under paragraph D.

Sec. A-14. 29 MRSA §343, sub-§3, as amended by PL 1985, c. 265, §5, is further amended to read:

3. Penalty. Failure to comply with subsection 1, paragraphs A to E is a Class E crime.

Sec. A-15. 29 MRSA §354, sub-§1, as amended by PL 1991, c. 597, §12, is further amended to read:

1. Vehicle manufacturers and new and used vehicle dealers. ~~No A~~ A vehicle manufacturer, new vehicle dealer or used vehicle dealer may not operate or permit to be operated a vehicle owned or controlled by the vehicle manufacturer, new vehicle dealer or used vehicle dealer using a dealer registration plate and ~~no a~~ a person ~~shall~~ may not operate a vehicle using a dealer registration plate except for:

~~A. For purposes~~ Purposes directly connected with the business of buying, servicing, selling, testing, adjusting, demonstrating or exchanging vehicles, including use of that vehicle by a full-time employee to attend schools and seminars designed to assist the employee in the testing, adjusting or servicing of vehicles;

~~C. For personal~~ Personal use of a manufacturer or dealer. There ~~shall~~ may be no more than one dealer plate for the personal use of the manufacturer or dealer and ~~no more than~~ one dealer plate for the immediate family of the dealer;

~~D. For the~~ The use of those vehicles in funerals or in public parades when no charge is made for the use;

~~E. For the~~ The use of a full-time ~~salesman~~ salesperson, general manager, sales manager or service manager who is on the dealer's payroll, but not the immediate family or members of the household of a ~~salesman~~ salesperson, general manager, sales manager or service manager;

~~F. For~~ The use by customers for the purpose of demonstrating those vehicles for a period not to exceed 7 days; or

~~G. A violation of paragraphs A to F is a traffic infraction for which a minimum forfeiture of \$200 shall be adjudged for each infraction, not to be suspended; or~~

~~H. For~~ The use of vehicles by manufacturers or dealers provided the combined weight of the vehicle and any load does not exceed 10,000 pounds.

This paragraph does not apply to any vehicle ~~which~~ that by design; exceeds 10,000 pounds without a

load, such as large trucks and trucks with permanently attached equipment and dealer wreckers registered pursuant to subsection 3.

In order for any vehicle having ~~a net~~ an unladen weight of more than 10,000 pounds to carry a load, a permit must be issued pursuant to subsection 4.

This subsection ~~is to be applicable~~ applies to all new and used car dealers and holders of transporter registrations and plates issued pursuant to chapter 5, subchapter III-A.

A failure to comply with paragraphs A to F is a traffic infraction for which a minimum forfeiture of \$200 must be adjudged for each infraction. This forfeiture may not be suspended.

~~Any~~ A person licensed pursuant to this subchapter as a new or used vehicle dealer may attach to the dealer's service vehicles a specially designed service vehicle plate that may be used only in the direct connection ~~of~~ with the licensee's business. A dealer may only attach a service vehicle plate to a vehicle used for the service or repair of vehicles sold or being repaired by the licensee. A dealer may not attach a service vehicle plate to a vehicle that delivers parts to individuals or to businesses that are not owned by the licensee. No ~~A~~ new or used vehicle dealer may not obtain more than 3 service vehicle plates at each established place of business or annex, and the weight limitation for service vehicles, including combined weight of vehicle and any load, may not exceed 24,000 pounds. The Secretary of State shall determine the number of service vehicle plates issued to a dealer. The fee for a specially designed service vehicle plate is \$50 annually per plate, except that on application for additional plates between September 1st and December 31st in any year, the fee is \$25 per plate.

Sec. A-16. 29 MRSA §354, sub-§2, as amended by PL 1991, c. 837, Pt. A, §68, is further amended to read:

2. Equipment dealers. Equipment dealer plates may be attached to the vehicles described in paragraphs A to P for demonstration, emergency and service purposes only, unless otherwise prohibited for use on the highways:

- A. Motorized graders;
- B. Power shovels;
- C. Front-end loaders;
- D. Backhoes;
- E. Rubber tired bulldozers;
- F. Large 4-wheel drive type trucks and snowplows;
- G. Motor cranes;

H. Road sweepers;

I. Sidewalk cleaners;

J. Log skidders;

K. Other related heavy equipment;

L. Farm tractors;

M. Self-propelled combines;

N. Harvesters;

O. Other related farm machinery; and

P. Any equipment or motor vehicle taken in trade.

~~A specially designed equipment dealer plate may be attached to a motor truck used for service in direct connection with the equipment dealer business. Any motor truck to which a specially designed equipment dealer plate has been attached may not be used for any purpose except in the service of equipment directly connected with the business of the equipment dealer. An equipment dealer may only attach a service vehicle plate to a motor truck used for the service or repair of vehicles or equipment sold or being repaired by the licensee. An equipment dealer may not attach a service vehicle plate to a vehicle that delivers parts to individuals or to businesses that are not owned by the licensee. No~~ An equipment dealer business may not be provided with more than 3 specially designed equipment dealer plates at each established place of business or annex.

The Bureau of Motor Vehicles within the Department of the Secretary of State must be reimbursed from the Highway Fund \$1 for each plate issued in 1980 under this section for costs incurred by the bureau to obtain the plates.

Sec. A-17. 29 MRSA §542, as amended by PL 1991, c. 824, Pt. A, §59, is further amended to read:

§542. Expiration

~~All~~ Effective July 1, 1993, all new and renewal licenses to operate motor vehicles expire at midnight on the license holder's ~~4th~~ 6th birthday next following the date of issuance of license, except that a new or renewal license issued to a person 65 years of age or older at the date of issuance or renewal expires at midnight on that license holder's 4th birthday following the date of issuance. The fee for ~~such~~ the 6-year license is \$18; ~~\$27~~, except that, effective October 1, 1991, a fee of \$23 ~~\$38~~ must be charged for each new and renewal commercial driver's license. The fee for a 4-year license issued to a person 65 years of age or older in accordance with this section is \$18. The fee for a 4-year commercial driver's license issued to a person 65 years of age or older in accordance with this section is \$25.

All operator licenses issued before July 1, 1993 expire at midnight on the license holder's 4th birthday next following the date of issuance of license.

A person born on February 29th is, for the purposes of this section, considered as born on March 1st.

Sec. A-18. 29 MRSA §946-D is enacted to read:

§946-D. Standards for lights on highway maintenance vehicles

The Commissioner of Transportation, with the consent of the Chief of the Maine State Police, shall adopt standards and specifications for headlights, clearance lights, identification lights and other lights on highway maintenance vehicles. These standards must include prescribed usage for the various lights when a highway maintenance vehicle is in operation. The standards and specifications adopted pursuant to this section must correspond to and so far as practical conform with those approved by the national association of state highway officials. The standards and specifications adopted pursuant to this section are in addition to and do not supersede the lighting requirements established in sections 946-C and 1366.

Highway maintenance vehicles owned by a municipality or performing maintenance under contract to a municipality must meet the lighting requirements established in sections 946-C and 1366. A municipality may adopt the standards and specifications developed in accordance with this section.

Sec. A-19. 29 MRSA §958, as amended by PL 1975, c. 252, §11, is further amended to read:

§958. Riding in trailers

~~No~~ A person or persons shall may not occupy any camp trailer, mobile home, semitrailer or trailer while it is being moved upon a public highway. This section shall does not apply to an employee in the necessary discharge of his the employee's duties to his an employer nor, to any trailer being utilized for farming or agricultural purposes or to a trolley trailer, as defined in section 1, subsection 18-B, when all passengers on the trolley trailer are seated and the towing machine does not exceed 10 miles per hour.

Sec. A-20. 29 MRSA §1652, sub-§1, ¶F, as amended by PL 1991, c. 837, Pt. A, §72, is further amended by repealing subparagraph (10).

Sec. A-21. 29 MRSA §1652, sub-§1, ¶G, as enacted by PL 1991, c. 410, Pt. A, §2, is amended by repealing subparagraph (8), division (c).

Sec. A-22. 29 MRSA §1652, sub-§1, ¶H, as enacted by PL 1991, c. 691, §3, is amended by repealing subparagraph (2).

Sec. A-23. 29 MRSA §1653, 3rd ¶, as amended by PL 1989, c. 754, Pt. C, §4, is further amended to read:

If the weight of the vehicle exceeds the allowable gross weight, including the weight ~~specified in any applicable commodity permit permitted in section 1655~~, by 20% or more, the police officer shall affix an out-of-service sticker to the windshield until the vehicle is brought into compliance with the prescribed weight limits and shall ~~require that no person move~~ prohibit the use of the vehicle until it is brought into compliance. ~~Any~~ A person who moves that vehicle before it is brought into compliance and the out-of-service sticker has been signed by a police officer to attest to that fact ~~is guilty of~~ commits a Class E crime. When the vehicle is brought into compliance, that fact may be attested by any police officer, who shall sign the out-of-service sticker. ~~Any~~ An owner or operator who fails to have the out-of-service sticker attested or who fails to return or deliver the attested out-of-service sticker or attested portion of that sticker to the Bureau of State Police within 15 days of issuance ~~is guilty of~~ commits a traffic infraction.

Sec. A-24. 29 MRSA §1654-A, sub-§1, as enacted by PL 1989, c. 528, §7, is amended to read:

1. Traffic infraction. A person who operates or causes operation of any motor vehicle in violation of any provision for gross weight by exceeding the allowable weight limit, including the weight limit ~~specified in any applicable commodity permit permitted in section 1655~~, by 20% or more ~~is guilty of~~ commits aggravated excessive vehicle weight for each violation. Except as provided in section 1654-B, aggravated excessive vehicle weight is a traffic infraction.

Sec. A-25. 29 MRSA §1655, first ¶, as amended by PL 1991, c. 694, §3, is further amended to read:

The operation on the highways of ~~any~~ a vehicle loaded entirely with building materials that absorb moisture during delivery originating and terminating within the State, bark, sawdust, firewood, sawed lumber, dimension lumber, pulpwood, wood chips, logs, soils, unconsolidated rock materials including limestone, bolts, farm produce, road salt, manufacturer's concrete products, solid waste or incinerator ash; or dump trucks, tractor dump trucks or transit-mix concrete trucks carrying highway construction materials; or any vehicle loaded with a majority of products requiring refrigeration, whether by ice or mechanical equipment, and on those vehicles when inspected by the State Police, the number of the seal must be recorded and the number of the new seal must be recorded by the State Police, and the operation on the highways of any vehicle loaded with raw ore from mine or quarry to place of processing is not in violation if the gross weight of that vehicle does not exceed 110% of the maximum gross weight permitted for that vehicle by section 1652 and provided that the maximum axle load does not exceed 24,200 pounds for a ~~single axle~~

single-axle unit, 46,000 pounds for a ~~tandem-axle tandem-axle~~ unit and 54,000 pounds for a tri-axle unit, except that 64,000 pounds is permitted on the tri-axle unit of a 4-axle motor vehicle hauling forest products ~~provided that a special commodity permit is obtained~~. When any of the tolerances in this section are exceeded, the difference between the actual weights and the respective limits established in section 1652 must be used as the basis for determining the percentage of overload on which the penalty in section 1654 is assessed.

Sec. A-26. 29 MRSA §1655, 4th and 5th ¶¶, as repealed and replaced by PL 1989, c. 528, §§8 and 16, are repealed.

Sec. A-27. 29 MRSA §1655, 6th ¶, as amended by PL 1991, c. 837, Pt. A, §73, is repealed.

Sec. A-28. 29 MRSA §1655, 7th to 9th ¶¶, as repealed and replaced by PL 1989, c. 528, §§8 and 16, are repealed.

Sec. A-29. 29 MRSA §2181, sub-§2, as enacted by PL 1989, c. 481, Pt. A, §25, is amended to read:

2. Printing or reproduction of motor vehicle document. Any person who prints or otherwise prepares, or who causes to be printed or otherwise prepared, or who sells or transfers a paper or document in the form of a certificate of registration, operator's license or any other certificate, permit, license or form used by the Secretary of State in administering this Title or who reproduces, or who causes to be reproduced, any certificate, permit, license or other form, or any part thereof, or who sells or transfers any reproduced certificate, permit, license or other form, or any part thereof, used by the Secretary of State in administering this Title, without the written consent of the Secretary of State, ~~shall~~ must be punished by a fine of not more than \$1,000 or by imprisonment for not more than 11 months, or by both. Notwithstanding this subsection, a person may photocopy a certificate of registration solely for record-keeping purposes without the written consent of the Secretary of State.

Sec. A-30. 29 MRSA §2353, sub-§2, ¶¶B and C, as enacted by PL 1973, c. 586, §1, are amended to read:

B. Adopt and enforce reasonable rules to carry out this chapter; and

C. Assign a new identification number to a vehicle if it has none, ~~or its~~ if the vehicle's identification number is destroyed or obliterated; ~~or its motor~~ if the frame, chassis or, if the vehicle is a truck, the cab is changed, and shall either issue a new certificate of title showing the new identification number ~~or make an appropriate endorsement on the original upon surrender of the old certificate and completion of an application for title and payment of the fee.~~

Sec. A-31. 29 MRSA §2362, sub-§13, as enacted by PL 1981, c. 456, Pt. A, §99, is repealed.

Sec. A-32. 29 MRSA §2362, sub-§13-A is enacted to read:

13-A. Model year prior to 1984. Vehicles with a model year prior to 1984;

Sec. A-33. 29 MRSA §2364, sub-§1, ¶B, as amended by PL 1985, c. 401, §17, is further amended to read:

B. A description of the vehicle including, so far as the following data exists, ~~its~~ the make, model, model year, identification number, type of body; ~~the number of cylinders; and~~ current mileage and whether the vehicle is new or used;

Sec. A-34. 29 MRSA §2367, sub-§1, ¶E, as amended by PL 1985, c. 401, §18, is further amended to read:

E. A description of the vehicle including, insofar as the following data exists, ~~its~~ the make, model, model year designation, identification number, type of body; ~~number of cylinders; and current mileage and~~ whether the vehicle is new or used; ~~current mileage~~ and, if a new vehicle, the date of the first sale of the vehicle for use; and

Sec. A-35. 29 MRSA §2372, sub-§1, as amended by PL 1989, c. 902, §5 and affected by §14, is further amended to read:

1. Transfer; owner. If an owner transfers interest in a vehicle, other than by the creation of a security interest, the owner shall execute, at the time of delivery of the vehicle, ~~execute~~ an assignment and warranty of title to the transferee in the space provided ~~therefor~~ on the certificate or as the Secretary of State prescribes, including the odometer information required by section 364-A, and cause the certificate and assignment to be mailed or delivered to the transferee or to the Secretary of State. Except as provided in section 2373, an owner must provide the transferee with a properly released certificate of lien if a certificate was issued to any lienholder listed on the owner's title or salvage certificate. A transferee other than a dealer licensed under chapter 5, subchapter III-A shall obtain a title in the transferee's name before transferring the vehicle to another person.

Sec. A-36. 29 MRSA §2443, as amended by PL 1981, c. 437, §27 to 29, is further amended to read:

§2443. Other offenses

1. Penalty. A person who commits any of the following acts ~~is guilty of~~ commits a Class E crime:

A. Permits another, not entitled thereto to a certificate of title or a certificate of salvage, to use or have possession of a certificate of title or a certificate of salvage;

B. Fails to mail or deliver a certificate of title, certificate of salvage or application thereof to the Secretary of State within 10 days after the time required by this chapter;

C. Fails to deliver to his a transferee a certificate of title or certificate of salvage within 10 days after the time required by this chapter;

D. Fails to have a correctly assigned clear title to a vehicle as required by section 2373; or

E. Violates any provision of this chapter, except as provided in subsection 2 or section 2442.

2. Infraction. When a dealer licensed under chapter 5, subchapter III-A acquires a vehicle, the dealer must possess a transfer form in accordance with section 364-A for the transfer of that vehicle to the dealer and that transfer form must state the odometer reading, the names of the transferors and the name of the dealer as transferee. A dealer who violates this subsection commits a traffic infraction. A minimum forfeiture of \$200 must be adjudged for each infraction. This forfeiture may not be suspended.

Sec. A-37. 29 MRSA §2610, sub-§1, ¶¶D and E, as enacted by PL 1991, c. 458, §1, are amended to read:

D. Left on property without the permission of the property owner or person in charge of the property or premises where the vehicle is located; or

E. Left at a place of business after being repaired pursuant to a written work order signed by the person requesting the repair work; or

Sec. A-38. 29 MRSA §2610, sub-§1, ¶F is enacted to read:

F. Left on an individual's residential property for more than 6 months.

Sec. A-39. Effective date. This Part takes effect July 1, 1993, except that that section of this Part that repeals and replaces the Maine Revised Statutes, Title 29, section 102-A, subsection 2 takes effect August 1, 1993 and those sections of this Part that amend Title 29, section 244, subsection 5, paragraph B and section 246 take effect October 1, 1993.

PART B

Sec. B-1. 29 MRSA §242, sub-§1, ¶¶H and I, as amended by PL 1991, c. 598, §1, are repealed.

Sec. B-2. 29 MRSA §242, last ¶, as enacted by PL 1987, c. 79, §§1 and 7, is repealed.

Sec. B-3. 29 MRSA §§245-C and 246-E are enacted to read:

§245-C. Register vehicles in semipermanent plate period

A person registering pursuant to section 245-A or 245-B may register a semitrailer for fewer than 5 years only to maintain a common expiration date for a fleet.

§246-E. Vehicles registered pursuant to the International Registration Plan

Notwithstanding any other provision of this Title, the following provisions apply to vehicles required to be registered pursuant to the International Registration Plan, referred to in this section as the "plan."

1. Cab cards. For each vehicle base registered in this State under the plan, there is a fee of \$5 for each original cab card or replacement cab card.

2. Temporary registration. The Secretary of State may issue a temporary registration certificate to a vehicle for which an application for registration has been made. Temporary registrations may be issued for periods not to exceed 45 days. Only one temporary registration may be issued per vehicle per year.

3. Trip permits. The Secretary of State may issue 72-hour trip permits for vehicles required to be registered in the plan that have not been apportioned with this State. The fee for each trip permit is \$25 per vehicle. Trip permits provide all the privileges of the plan.

4. Display of registration plate. Vehicles being registered in the plan for the first time may be operated without displaying a registration plate if the vehicle has been issued a valid temporary registration by the base jurisdiction.

5. Facsimile credentials. The Secretary of State may issue facsimile credentials identifying specific vehicles for registration purposes. Temporary facsimile credentials issued by another jurisdiction pursuant to the plan may be accepted as proof that a vehicle is legally registered.

6. Unladen weight permits. The Secretary of State may issue unladen weight permits for motor vehicles based in this State or last registered in this State and otherwise required to be registered in the plan. An unladen weight permit allows a motor vehicle to be oper-

ated without a load in a plan jurisdiction without an apportioned registration. The fee for an unladen weight permit is \$25. The permit is valid for 30 days. The Secretary of State may require any information that the Secretary of State considers necessary.

7. Refunds. The Secretary of State may issue a refund of registration fees paid for operating in this State when the Secretary of State determines that a registrant was assessed too great a registration fee. The Secretary of State may not refund a registration fee collected for another jurisdiction, but may assist a motor carrier based in this State in obtaining refunds from other member jurisdictions. The Secretary of State is not required to refund any amount of less than \$5.

8. Presentation of credentials. Upon request of any law enforcement officer, an operator of a motor vehicle registered pursuant to the plan must present temporary or permanent credentials for inspection.

9. Penalty. Notwithstanding any other provisions of this Title, failure to comply with the registration requirements of the plan is a traffic infraction. The minimum forfeiture for this violation is \$500. The Secretary of State shall notify the registrant's base jurisdiction of the violation. Presenting altered credentials is a Class E crime.

Sec. B-4. 29 MRSA §2243-A, sub-§3, as amended by PL 1991, c. 598, §6, is further amended to read:

3. Registration transition. The registration of motor vehicles that are to be registered under the International Registration Plan, ~~issued in the 12 months prior to Maine's entry, must~~ may be prorated on a monthly basis. Prorated registrations may be issued for any number of months necessary to provide for the consolidation of fleets of vehicles under a single expiration date.

Sec. B-5. 29 MRSA §2702-A is enacted to read:

§2702-A. Multistate agreement authority

1. Authorization. The Secretary of State, acting with the concurrence of the Commissioner of Transportation and the Commissioner of Public Safety, may enter into a multistate agreement for the administration of this chapter.

2. Purpose. It is the purpose of this section to:

A. Promote and encourage the fullest and most efficient use of the highway system by providing for a single point of contact for the administration of states' operating authority requirements;

B. Provide for a uniform set of rules among participating states;

C. Enable participating states to act cooperatively in the collection of fees and the enforcement of insurance requirements; and

D. Establish and maintain the concept of one administering state for each permittee based on the rules established under an agreement.

3. Principle. The Legislature, in authorizing the Secretary of State to enter into an agreement, recognizes that the concept of one administering state should promote the more efficient use of the highway system while protecting the travelling public. The Legislature further recognizes that any agreement should reduce the administrative burden for the motor carrier industry by limiting the number of contacts necessary when a motor carrier operates in interstate commerce.

4. Authorization. The Secretary of State may enter into a multistate agreement for the administration of this chapter consistent with the purposes and principles of this section. The Secretary of State may collect and distribute fees for other participating jurisdictions and receive fees from those jurisdictions collected on behalf of this State.

5. Rules. The Secretary of State, with the concurrence of the Commissioner of Transportation and the Commissioner of Public Safety, may make rules to implement an agreement entered under this section.

Sec. B-6. 36 MRSA §1482, sub-§1, ¶C, as amended by PL 1991, c. 846, §15, is further amended to read:

C. For the privilege of operating a motor vehicle or camper trailer on the public ways, each motor vehicle, other than a stock race car, or each camper trailer to be so operated is subject to excise tax as follows: ~~A~~ a sum equal to 24 mills on each dollar of the maker's list price for the first or current year of model, 17 1/2 mills for the 2nd year, 13 1/2 mills for the 3rd year, 10 mills for the 4th year, 6 1/2 mills for the 5th year and 4 mills for the 6th and succeeding years. The minimum tax is \$5 for a motor vehicle other than a bicycle with motor attached, \$2.50 for a bicycle with motor attached, \$15 for a camper trailer other than a tent trailer and \$5 for a tent trailer. The excise tax on a stock race car is \$5.

(1) On new registrations of automobiles, trucks and truck tractors, the excise tax payment must be made prior to registration and is for a one-year period from the date of registration.

(2) Vehicles registered under the International Registration Plan are subject to an excise

cise tax determined on a monthly proration basis if their registration period is less than 12 months.

For motor vehicles being registered in the International Registration Plan, the excise tax must be prorated for the number of months in the registration. If the registration period is for more than 12 months, for the number of months in excess of 12 the next mill rate is used.

Sec. B-7. Effective date. This Part takes effect July 1, 1993.

PART C

Sec. C-1. Task Force to Study the Safe Mobility of Maine's Aging Population established. The Task Force to Study the Mobility of Maine's Aging Population, referred to in this Part as the "task force," is established to review transportation alternatives for an aging population, licensing provisions for the driving population, highway travel considerations for an aging population and educational programs to improve driving performance and confidence.

Sec. C-2. Task force membership. The task force consists of 15 members appointed as follows:

1. One member of the Senate appointed by the President of the Senate and one member of the House of Representatives appointed by the Speaker of the House of Representatives. Members of the 116th Legislature appointed to the commission continue to serve as legislative members until the task force concludes its study;

2. One representative of the Bureau of Elder and Adult Services in the Department of Human Services appointed by the Commissioner of Human Services;

3. One representative of the Department of Transportation appointed by the Commissioner of Transportation;

4. One representative of the office of the Secretary of State appointed by the Secretary of State;

5. One representative of the Maine Highway Safety Commission appointed by the chair of the commission;

6. The Director of the Bureau of Highway Safety or the director's designee;

7. One Maine citizen 65 years of age or older appointed by the Governor;

8. One member of the general public appointed jointly by the President of the Senate and the Speaker of the House of Representatives;

9. One gerontologist appointed by the Governor;

10. One representative of companies providing insurance in the State appointed by the Governor;

11. One representative of area agencies on aging appointed jointly by the President of the Senate and the Speaker of the House of Representatives;

12. One representative appointed jointly by the President of the Senate and the Speaker of the House of Representatives from a list of 3 persons submitted by the American Association of Retired Persons;

13. One representative appointed jointly by the President of the Senate and the Speaker of the House of Representatives from a list of 3 persons submitted by the American Automobile Association; and

14. One representative appointed jointly by the President of the Senate and the Speaker of the House of Representatives from a list of 3 persons submitted by the Maine Transit Association.

Sec. C-3. Appointment; notification. All appointments to the task force must be made no later than 30 days following the effective date of this Part. The Executive Director of the Legislative Council must be notified by all appointing authorities once the selections have been made.

Sec. C-4. Convening of task force; selection of chair. When appointment of all task force members is completed, the Executive Director of the Legislative Council shall call the first meeting of the task force no later than 15 days following the completion of appointments. The task force shall select a member as chair.

Sec. C-5. Duties of task force. The task force shall review transportation alternatives for an aging population, licensing provisions for the driving population, educational programs to improve driving performance and highway travel considerations for an aging population. In conducting the study, the task force shall meet at convenient times and locations and may:

1. Hold informational sessions for discussions with knowledgeable persons;

2. Conduct, summarize and analyze the results of a literature search;

3. Conduct, tabulate and analyze the results of a survey of the public or affected persons and groups;

4. Procure and analyze relevant data;

5. Conduct legal research and prepare opinions on legal questions within the scope of the study;

6. Determine and summarize the legislative actions or governmental programs undertaken in other jurisdictions related to issues within the scope of the study; and

7. Form subcommittees to include persons not appointed to the task force but with expertise in an area of study.

Sec. C-6. Report of task force. The task force shall present any recommended legislation to the Executive Director of the Legislative Council by November 1, 1994 and a report of its findings to the joint standing committee of the Legislature having jurisdiction over human resources matters and the joint standing committee of the Legislature having jurisdiction over transportation of the First Regular Session of the 117th Legislature by January 15, 1995.

Sec. C-7. Staff assistance. If funds are available and subject to section 9 of this Part, the task force may contract with a consultant to serve as the primary staff for accomplishing the task force's duties and providing clerical assistance. The chair of the task force shall manage the consultant's work.

Sec. C-8. Compensation. All members of the task force serve without compensation.

Sec. C-9. Funding. The Legislative Council may accept on behalf of the task force grants and other sources of outside funding to hire staff and carry out the task force's activities. Before acceptance of funds, the Legislative Council shall examine whether accepting funds from a source will risk the appearance of undue influence or actual undue influence on the study. If the Legislative Council determines that accepting funds from the source will cause this risk, the Legislative Council may not approve the funding source. The Legislative Council shall administer any outside funds acquired for the conduct of the study. Administration of these funds includes authorizing the Executive Director of the Legislative Council to approve or disapprove any contract for assistance to the study in accordance with guidelines adopted by the Legislative Council. Expenditures may not be incurred that have an impact on the General Fund. Expenditures may not be incurred by the task force unless outside sources of funding have been received by the Legislative Council.

Sec. C-10. Effective date. This Part takes effect July 1, 1993.

PART D

Sec. D-1. Allocation. The following funds are allocated from the Highway Fund to carry out the purposes of this Act.

	1993-94	1994-95
SECRETARY OF STATE, DEPARTMENT OF THE		
Administration - Motor Vehicles		
Positions	(1.0)	(1.0)
Personal Services	\$19,714	\$27,346
All Other	4,064	4,352
Capital Expenditures	2,650	
Provides funds for a Title Examiner position, general operating expenses and a work station to deal with additional title applications.		
DEPARTMENT OF THE SECRETARY OF STATE		
TOTAL	\$26,428	\$31,708

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved, except as otherwise indicated.

Effective June 9, 1993, unless otherwise indicated.

CHAPTER 298

H.P. 525 - L.D. 709

An Act to Encourage the Implementation of the Solid Waste Management Hierarchy

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, two thirds of all of the members elected to each House have determined it necessary to enact this measure.

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

Sec. 1. 38 MRSA §2125 is enacted to read:

§2125. Evaluation of municipal implementation of solid waste hierarchy

The agency shall adopt, by rule, a system for acknowledging implementation by municipalities of the solid waste management hierarchy set forth in section 2101 and the goals for solid waste management adopted in the waste management and recycling plan. The system must include the following elements.

1. Evaluation. Municipalities shall report annually, except as provided by the agency, on their solid waste management practices. The annual report must