

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

SECOND SPECIAL SESSION
September 5, 1996 to September 7, 1996

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 4, 1996 to March 27, 1997

FIRST SPECIAL SESSION
March 27, 1997 to June 20, 1997

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 26, 1997

FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 1997

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

J.S. McCarthy Company
Augusta, Maine
1997

Sec. 116. 21-A MRSA §820, as enacted by PL 1985, c. 161, §6, is repealed.

Sec. 117. 21-A MRSA §822, first ¶, as amended by PL 1995, c. 459, §91, is further amended to read:

When it is time for the polls to open, the warden shall open the envelope containing the keys to the voting machines in the presence of an election clerk from a political party other than that of the warden. The warden shall ensure that the correct ballot labels were delivered by comparing them with the ~~specimen~~ sample ballot.

Sec. 118. 21-A MRSA §852, sub-§1, as amended by PL 1995, c. 459, §104, is further amended to read:

1. Preparation for voting. Before the polls are opened, the election officials shall arrive at the polling place and place the voting devices in position for voting. The officials shall ensure that the devices are in proper working order and that the correct ballots were delivered. They shall open and check the ballots, supplies, records and forms and post the ~~specimen~~ sample ballots and instructions to voters.

Sec. 119. 21-A MRSA §1055, 2nd ¶, as enacted by PL 1985, c. 161, §6, is amended to read:

~~No~~ A person operating a broadcasting station within this State may ~~not~~ broadcast any such communication without an oral or visual announcement of the name and address of the political action committee ~~which~~ that made or financed the expenditure for the communication and statement that reads: "A copy of our report is available from and may be viewed at the office of the ~~Secretary of State~~ Commission on Governmental Ethics and Election Practices."

See title page for effective date.

CHAPTER 437

S.P. 473 - L.D. 1475

An Act to Amend Certain Motor Vehicle Laws

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

Sec. 1. 5 MRSA §88-A, as amended by PL 1995, c. 645, Pt. B, §§1 and 2 and affected by §24, is repealed.

Sec. 2. 22 MRSA §1555-A, as enacted by PL 1995, c. 470, §9 and affected by §19, is amended to read:

§1555-A. Identification cards

A licensee may refuse to sell tobacco to any person who fails to display upon request an identification card issued under Title ~~5~~ 29-A, section ~~88-A~~ 1410 or a motor vehicle operator's license bearing the photograph of the operator and issued under Title 29-A.

Sec. 3. 28-A MRSA §706, as amended by PL 1995, c. 65, Pt. A, §79 and affected by §153 and affected by Pt. C, §15, is further amended to read:

§706. Identification cards

1. Acceptable identification. A licensee may refuse to serve liquor to any person who fails to display upon request an identification card issued under Title ~~5~~ 29-A, section ~~88-A~~ 1410, or a motor vehicle operator's license bearing the photograph of the operator and issued under Title 29-A, chapter 11.

Sec. 4. 29-A MRSA §105, sub-§4, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

4. Violation. A person is guilty of a Class E crime if that person, while operating a vehicle in violation of this Title, fails or refuses upon request to give that person's correct name, address ~~and~~ or date of birth to a law enforcement officer.

Sec. 5. 29-A MRSA §153, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

§153. Rules

The Secretary of State may adopt, amend or repeal rules necessary to administer this Title, as provided in the Maine Administrative Procedure Act. Unless defined otherwise, rules adopted pursuant to this Title are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.

Sec. 6. 29-A MRSA §453, sub-§1, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

1. Vanity registration plates. The Secretary of State may issue registration plates that contain letters or a combination of letters and numbers for automobiles, taxi cabs, limousines, pickup trucks, trucks that are registered up to 9,000 pounds gross vehicle weight, motorcycles, motor homes or trailers not to exceed 2,000 pounds, whether semitrailers, 4-wheeled or semitrailers that do not exceed 2,000 pounds and camp trailers. The number of characters appearing on ~~such~~ a plate issued under this section may not exceed 7.

Sec. 7. 29-A MRSA §455, sub-§2, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

2. Plate design; optional environmental vanity plates. The Secretary of State, the Commissioner of Conservation, the Commissioner of Environmental Protection and the Commissioner of Inland Fisheries and Wildlife in consultation with the joint standing committee of the Legislature having jurisdiction over transportation matters shall determine the plate design.

The design must accommodate the use of numbers and letters as provided in section 453. Upon request and as provided by section 453, the Secretary of State shall issue environmental plates that are also vanity plates. Environmental vanity plates are issued in accordance with this section and section 453. The Secretary of State may modify class codes and create unique identifiers for the purpose of expanding the program. The annual service fee of \$15 for vanity plates is credited to the Highway Fund. Rules adopted pursuant to this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter II-A.

Sec. 8. 29-A MRSA §501, sub-§1, as amended by PL 1995, c. 645, Pt. C, §8 and affected by §16, is further amended to read:

1. Automobiles; pickup trucks. The fee for an automobile or pickup truck used for the conveyance of passengers or interchangeably for passengers or property is \$23.

An automobile used for the conveyance of passengers or property is a "combination" vehicle and may be issued a special plate with the word "combination" instead of "Vacationland." A passenger vehicle used under contract with the State, a municipality or a school district to transport students must be designated as "combination." A vehicle owned or operated by parents or legal guardians is exempt from this subsection.

Commercial plates may not be issued for or displayed on an automobile.

The gross weight of a pickup truck registered as provided by this subsection may not exceed 6,000 pounds. An owner of a pickup truck who operates the pickup truck with a gross weight in excess of 6,000 pounds or the pickup truck drawing a semitrailer with a combined gross weight in excess of 6,000 pounds must register the truck as provided in section 504.

Notwithstanding any other provision of law, a combination of vehicles consisting of a pickup truck as defined in section 101, subsection 55 and a semitrailer with a registered weight of 2,000 pounds or less may be registered under this section for the

combined gross weight of the pickup truck and the semitrailer.

Sec. 9. 29-A MRSA §512, 3rd and 4th ¶¶ are enacted to read:

A nonresident registrant shall designate a resident agent for the service of process. A resident agent must be a resident of this State. For the purposes of this section, a resident includes a person registered with the Secretary of State, Bureau of Corporations, Elections and Commissions to do business in this State.

The application for registration must contain the information prescribed in section 401, except that the Secretary of State may waive or modify the signature requirements.

Sec. 10. 29-A MRSA §512, sub-§1, ¶A, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is repealed.

Sec. 11. 29-A MRSA §512, sub-§1, ¶B, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is repealed and the following enacted in its place:

B. The fee is \$10 for each semitrailer, and the fee is \$5 for each trailer of not more than 2,000 pounds gross vehicle weight.

Fees for the first 3 years of a registration may not be refunded. Fees for the 4th and subsequent years may be refunded prior to the start of the registration year provided that the registration plate and certificate are returned to the Secretary of State. After the start of the registration year, fees for the current year may be refunded if the plate and certificates are returned within 120 days and the Secretary of State is satisfied that the credentials were not used during the registration period.

Sec. 12. 29-A MRSA §512, sub-§2, ¶B, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is repealed.

Sec. 13. 29-A MRSA §555-A is enacted to read:

§555-A. United States Department of Transportation census number

The bureau may require a motor carrier to have and display a United States Department of Transportation census number. The bureau may adopt rules to administer this section. Rules adopted pursuant to this section are routine technical rules pursuant to Title 5, chapter 375, subchapter II-A.

Sec. 14. 29-A MRSA §556, first ¶, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

A motor vehicle is exempt from this subchapter, except sections 555, 555-A, 558 and 560, as follows:

Sec. 15. 29-A MRSA §654, sub-§4, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

4. Vehicle declared total loss. If a vehicle is declared a total loss by an owner or insurer, the owner or insurer shall file an application for a certificate of salvage pursuant to section 667. The application must be on a form prescribed by the Secretary of State and, in addition to the requirements set forth in subsection 1, must include:

- A. A certificate of title or a certificate of origin; and
- B. Any other information or documents the Secretary of State requires to administer the provisions of this section.

~~The Secretary of State shall act on an application for a certificate of salvage within 20 days of receipt of the application.~~

The Secretary of State shall act on an application for a certificate of salvage within 20 days of receipt of an application submitted in accordance with section 603, subsection 3-A or section 655.

Sec. 16. 29-A MRSA §655, sub-§5, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

5. Delivery. The certificate of title or certificate of salvage must be sent to the owner named on the certificate. If a lienholder is named on the certificate, the Secretary of State shall send a certificate of ~~lien~~ title or certificate of salvage to the first named lienholder.

Sec. 17. 29-A MRSA §662, sub-§1, as affected by PL 1995, c. 65, Pt. A, §153, amended by Pt. B, §10 and affected by Pt. C, §15, is further amended to read:

1. Transfer of interest by owner. If an owner transfers an 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, an assignment and warranty of title to the transferee in the space provided on the certificate or as the Secretary of State prescribes. The warranty must include the odometer information required by section 752.

The owner shall deliver the certificate and assignment to the transferee or to the Secretary of State.

Except as provided in section ~~664~~ 664-A, an owner must provide the transferee with a properly released certificate of lien if one was issued to a lienholder.

A transferee other than a dealer licensed under chapter 9 shall obtain a title in the transferee's name before transferring the vehicle to another person.

The Secretary of State may accept an application in lieu of a title when the application is accompanied by a prior title.

Sec. 18. 29-A MRSA §662, sub-§4, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

4. Transfer effective. Except as provided in section ~~664~~ 664-A and ~~as~~ between the parties, a transfer by an owner is not effective until the provisions of this section and section 665 have been fulfilled and the required fees have been paid. An owner who has delivered possession of the vehicle and has complied with this section and section 665 is not liable thereafter as owner for damages resulting from operation of the vehicle.

Sec. 19. 29-A MRSA §664, as amended by PL 1995, c. 645, Pt. A, §9 and affected by §18, is repealed.

Sec. 20. 29-A MRSA §664-A is enacted to read:

§664-A. Resale by dealer

1. Vehicle sold by dealer. A vehicle that is sold by a dealer must be accompanied by a properly assigned and valid certificate of title or certificate of salvage at the time of its sale.

2. Vehicle held by dealer. If a dealer holds a vehicle for resale and obtains the certificate of title or certificate of salvage, the dealer is not required to deliver the certificate to the Secretary of State.

3. Transfer. When transferring possession of a vehicle held for resale to a retail purchaser, a dealer shall comply with section 654.

4. Unreleased security interest. If a certificate of title shows an unreleased security interest, a dealer may not transfer possession of the vehicle unless the dealer possesses a properly released certificate of lien.

5. Sold or displayed for sale at auction. A vehicle that is sold or displayed for sale at an auction must be accompanied by a valid certificate of title at the time of its sale or display. A salvage vehicle sold or displayed for sale at an auction or insurance salvage pool must be accompanied by a valid certificate of salvage at the time of its sale or display for sale, unless

it is accompanied by a certificate of title from a jurisdiction that does not issue certificates of salvage.

6. Documentation. A vehicle that is exempt under section 652 or a vehicle from a jurisdiction that does not issue certificates of title must be accompanied by information and documents to establish the ownership of the vehicle and the existence or nonexistence of a security interest in it.

7. Penalty. Violation of this section is a Class E crime.

Sec. 21. 29-A MRSA §667, sub-§5, ¶E is enacted to read:

E. The legend "salvage" must appear on a certificate of title if:

(1) A vehicle has no marketable value other than the value of the basic material or parts used in the construction of the vehicle;

(2) A vehicle is sold with a stipulation that it is only to be used for the benefit of its parts; and

(3) A certificate of title previously issued by the Secretary of State or by any other jurisdiction bearing the legend "salvage" accompanies an application to the State of a subsequent certificate of title.

Sec. 22. 29-A MRSA §753, sub-§4, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

4. Assigned. Fails to have a correctly assigned clear title to a vehicle as required by section 664-664-A;

Sec. 23. 29-A MRSA §852, sub-§4, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is repealed.

Sec. 24. 29-A MRSA §951, sub-§5, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is repealed.

Sec. 25. 29-A MRSA §954, sub-§4, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

4. Trailer. Heavy trailer dealer plates and a license may be issued to a person engaged in the manufacturing or buying and selling of mobile homes or of trailers or semitrailers with an unladen weight of more than 3,000 pounds. A mobile home dealer is not required to obtain plates or a license under this section if the dealer does not engage in the activities authorized by the license.

Sec. 26. 29-A MRSA §957 is enacted to read:

§957. Licensing of locations other than primary facilities

1. Annex license. The Secretary of State may issue to a dealer a license to operate an annex facility. An annex facility must be an established place of business, except that books and records may be kept at the dealer's primary location. An annex facility must meet the requirements of section 952, subsection 1. The annual fee for an annex license is \$150.

2. Secondary location license. The Secretary of State may issue to a dealer a license to operate at a secondary location within one mile of the dealer's primary location. For the purposes of this subsection, "secondary location" means a display area that complies with applicable building codes and zoning and land use ordinances, is large enough to display at least 2 vehicles and contains signs posting the business's name and operating hours. The annual fee for a secondary location license is \$100.

3. Attended sales promotion. The Secretary of State may issue to a dealer a 30-day license to operate an attended sales promotion. A request for an attended sales promotion must be submitted to the Secretary of State at least 14 days before the proposed promotion date and must contain the proposed promotion date and location. The promotion and any use of a location must comply with applicable building codes and zoning and land use ordinances. A new vehicle dealer who requests a license under this subsection for a promotion involving new vehicles may not locate the promotion outside that dealer's area of responsibility as defined by the dealer's franchise agreement. A dealer who operates an attended sales promotion at an agricultural fair is exempt from this subsection. The fee for a 30-day attended sales promotion license is \$75 per location. The license for a location may be renewed 2 times in a calendar year.

4. Unattended sales promotion. The Secretary of State may issue to a dealer a license to operate an unattended sales promotion. A request for an unattended sales promotion must be submitted to the Secretary of State at least 14 days before the proposed promotion date and contain the proposed promotion date and location and, if applicable, a copy of a contract between the dealer and the promotion sponsor. The promotion and any use of a location must comply with applicable building codes and zoning and land use ordinances. A new vehicle dealer who requests a license under this subsection for a promotion involving new vehicles may not locate the promotion outside that dealer's area of responsibility as defined by the dealer's franchise agreement. The fee for an unattended sales promotion is:

A. Fifty dollars if the promotion runs 7 days or less;

B. One hundred dollars if the promotion runs between 8 and 60 days; or

C. One hundred fifty dollars if the promotion runs more than 60 days.

5. Penalty. A person commits a Class E crime if that person conducts an activity authorized by a license under this section without obtaining that license.

Sec. 27. 29-A MRSA §1052, sub-§4, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

4. Maintaining record. The licensee shall maintain a copy of the record of sale for at least ~~3~~ 5 years after the date of sale.

Sec. 28. 29-A MRSA §1105, sub-§§2 and 3, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, are amended to read:

2. License fee. The fee for the issuance or renewal of a license is \$150. A business licensed under ~~chapter 9, subchapter III~~ this Title as a new car dealer, used car dealer or equipment dealer is exempt from this fee.

3. Annex or secondary locations. Each ~~branch~~ secondary or annex location of a recycler must be approved and licensed by the Secretary of State pursuant to section 957. The annual fee for each ~~branch~~ secondary or annex location is \$75.

Sec. 29. 29-A MRSA §1252, sub-§1, ¶C, as affected by PL 1995, c. 65, Pt. A, §153 and amended by Pt. B, §11 and affected by Pt. C, §15, is further amended to read:

C. A Class C license may be issued for the operation of a single vehicle or a combination of vehicles that does not meet the definition of Class A or Class B license.

A holder of a Class C license may, with an appropriate endorsement, operate all vehicles in that class.

A Class C license authorizes:

- (1) A full-time or volunteer member of an organized municipal, state or federal fire department to operate fire apparatus;
- (2) A person to operate recreational vehicles for personal use;

(3) A person to operate military vehicles including National Guard vehicles; ~~or~~

(4) A person to operate registered farm motor trucks bearing the letter "F" on the registration plate within 150 miles of the registered owner's farm; or

(5) A person, employed by a city, town, county, district or other unit of local government created by or pursuant to law that has a total population of 3,000 individuals or less, to operate a commercial motor vehicle within the boundaries of that unit of local government for the purpose of removing snow or ice from a roadway by plowing, sanding or salting, if:

(a) The properly licensed employee who ordinarily operates a commercial motor vehicle for those purposes is unable to operate the vehicle; or

(b) The employing governmental entity determines that a snow or ice emergency exists that requires additional assistance.

Sec. 30. 29-A MRSA §1301, sub-§5, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

5. Permanent license number. The Secretary of State ~~may require an applicant to submit that shall collect, store and verify~~ a person's social security number upon application or renewal for a license or nondriver identification card number and may use that number to establish a permanent license number or nondriver identification card number.

Sec. 31. 29-A MRSA §1306, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

§1306. Waiver

The Secretary of State may waive examination for an applicant who has been licensed ~~by this State~~ to operate a motor vehicle during one of the 5 preceding calendar years ~~without a lapse of 5 years since date of expiration of the last 4 year or 6 year license.~~

Sec. 32. 29-A MRSA §1307, sub-§3, as amended by PL 1995, c. 482, Pt. A, §23, is further amended to read:

3. Examination fee for endorsements. The examination fee for a double or triple trailer, ~~semi-trailer,~~ bus, tank truck, hazardous materials endorsement or the renewal of a hazardous materials endorsement is \$10. A reexamination is \$5.

Sec. 33. 29-A MRSA §1401, sub-§2, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

2. Photograph or digital image. A license, except for a temporary license, must bear a full-face color photograph or digital image of the licensee. The following are exempt from the photographic or digital image requirement:

- A. A person who renews a license on or after that person's 65th birthday;
- B. A person in active military service stationed outside the State; and
- C. Another person approved by the Secretary of State.

Sec. 34. 29-A MRSA §1401, sub-§4, as affected by PL 1995, c. 65, Pt. A, §153 and amended by Pt. B, §15 and affected by Pt. C, §15, is further amended to read:

4. Fee. In addition to the license fee, the photograph or digital image fee is \$3.

Sec. 35. 29-A MRSA §1401, sub-§5 is enacted to read:

5. Record. The digital image information contained on the license may be captured, stored, retrieved, reproduced and distributed by the Secretary of State.

Sec. 36. 29-A MRSA §1402-A, sub-§§1 and 2, as enacted by PL 1995, c. 32, §4, are amended to read:

1. Statement on anatomical gifts. A licensee may make a statement expressing the licensee's willingness to make an anatomical gift under Title 22, chapter 710 by affixing an organ donor decal provided by the Secretary of State to the back of the license or by display of a distinctive code or notation printed on the license by the Secretary of State.

2. Organ donor decal, code or notation. The Secretary of State shall make available without additional fee an organ donor decal to a licensed driver 16 years of age or older. The statement on the organ donor decal must read: "The decal affixed hereto indicates the licensee is willing to make an anatomical gift upon death and has discussed this willingness with next of kin." In lieu of the organ donor decal, the Secretary of State may print the license with a distinctive code or notation indicating the licensee's willingness to be an organ donor.

Sec. 37. 29-A MRSA §1405, sub-§3, as amended by PL 1995, c. 482, Pt. A, §25, is further amended to read:

3. Fee. The fee for a duplicate license, registration certificate and instruction permit is \$2. An additional fee of \$3 is required for a photograph or digital image.

Sec. 38. 29-A MRSA §1405, sub-§4, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

4. Change of information, photograph or digital image. When ~~a request is made for a~~ any change is made on an operator's photograph or digitized license, that license is a duplicate.

Sec. 39. 29-A MRSA §1409, sub-§3, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

3. One hundred percent permanent service-connected disability. A veteran with ~~100% service-connected~~ a permanent disability who receives 100% service-connected benefits.

Sec. 40. 29-A MRSA §1410 is enacted to read:

§1410. Nondriver identification cards; information; fee

1. Application. Any person who is a state resident or nonresident temporarily domiciled in the State with a mailing address in the State may apply for an official state nondriver identification card. The application must be on a form provided by the Secretary of State and include any supporting documents and information the Secretary of State by rule requires.

A. The application form must include, directly above the signature line, the following notice to the applicant: "I understand that knowingly supplying false information on this form is a Class D crime under Title 17-A, punishable by confinement of up to 364 days or by monetary fine of up to \$2,000, or both."

2. Issuance of card; contents. Upon receipt of a completed application and payment of a fee of \$5, the Secretary of State shall issue a nondriver identification card to the applicant. If an applicant is the holder of a motor vehicle driver's license bearing a photograph or digital image of the individual and issued under this chapter, the Secretary of State or the Secretary of State's representative may refuse to issue a nondriver identification card. The Secretary of State shall provide that a nondriver identification card issued to a person less than 21 years of age has a distinctive color code. Each nondriver identification card must contain:

A. The applicant's photograph or digital image;

B. The applicant's name and address;

C. The applicant's date of birth;

D. Social security number; and

E. Any other information and identification that the Secretary of State by rule requires.

3. Validity. A nondriver identification card issued under this section is not valid until signed by the applicant.

4. Expiration. Each nondriver identification card issued pursuant to this section expires 6 years from the date of issuance.

5. Record. The digital image of the applicant and the digital image of the applicant's signature may be captured, stored, retrieved, reproduced and distributed by the Secretary of State.

6. Penalty. A person who knowingly supplies false information on a application required under subsection 1 commits a Class D crime. Rules adopted pursuant to this section are routine technical rules pursuant to Title 5, chapter 375, subchapter II-A.

Sec. 41. 29-A MRSA §1612, first ¶, as amended by PL 1995, c. 645, Pt. A, §16, is further amended to read:

The Secretary of State may not issue a dealer, transporter, loaner, motorcycle dealer or trailer dealer license or registration plates under chapter 9, subchapter I, except to equipment dealers or dealers who are only licensed to sell trailers with a gross vehicle weight rating of 3,000 pounds or less, and ~~which that~~ do not request dealer registration plates in conjunction with the license, until the applicant has procured and filed with the Secretary of State a certificate showing that the applicant is covered by an automobile bodily injury and property damage liability insurance policy providing coverage as set forth in this Title with respect to the plates issued, approved by the Superintendent of Insurance, insuring against any legal liability in accordance with the terms of that policy for personal injury or death of any one person in the sum of \$100,000 and for any number of persons in the sum of ~~\$300,000~~ \$100,000 and against property damage in the sum of \$300,000 when injury, death or damage may result from or have been caused by the operation of any vehicle bearing such registration plates. In lieu of that insurance, the applicant may file with the Secretary of State a bond or bonds issued by a surety company authorized to do business in the State in the amount of at least \$100,000 on account of injury to or death of any one person and subject to such limits as respects injury to or death of one person; of at least \$300,000 on account of any one accident resulting in injury to or death of more than one person; and of at

least ~~\$300,000~~ \$100,000 for damage to property of others.

Sec. 42. 29-A MRSA §1752, sub-§8, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is repealed and the following enacted in its place:

8. Woods tractor. A converted motor vehicle used as a tractor solely for logging purposes that:

A. Is registered as a tractor pursuant to section 509 or exempt from registration pursuant to section 510;

B. Is operated only during daylight hours, only within a 10-mile radius of the premises where the tractor is customarily kept and only between those premises and:

(1) A woodlot used for logging purposes by the owner; and

(2) A filling station or garage for fuel or repairs; and

C. Has a partial annual inspection of running gear, steering mechanism, brakes and exhaust system and tires under section 1917, subsection 3; and

Sec. 43. 29-A MRSA §2102, sub-§5 is enacted to read:

5. Privacy laws or rules; violation. Knowingly disseminates information that is protected by a state law or rule that implements the Federal Driver's Privacy Protection Act of 1994.

Sec. 44. 29-A MRSA §2353, sub-§6, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §2, is amended to read:

6. Exemption. A vehicle modified for the purpose of plowing snow is exempt from the weight limits imposed by this chapter when ~~equipped with a snowplow and wing or wings and~~ engaged in ~~or enroute to or returning from~~ plowing snow or in ice control. A vehicle modified for the purpose of plowing snow is exempt from the maximum tire weight provisions of subsection 5 at all times. Any fire-fighting vehicle with its proper equipment that meets the National Fire Protection Association standards is exempt from the gross and axle weight limits imposed by this chapter. Any vehicle engaged in emergency maintenance of a public way is exempt from the weight limits imposed by this chapter.

Sec. 45. 29-A MRSA §2507, sub-§1-A is enacted to read:

1-A. Increased liability insurance requirement. A person seeking early reinstatement of a driver's license under this section must furnish proof of financial responsibility, demonstrating that the person has secured and will maintain an automobile liability policy with the following limits:

A. Three hundred thousand dollars for damage to property;

B. Three hundred thousand dollars for injury to or death of any one person; and

C. Three hundred thousand dollars for one accident resulting in injury to or death of more than one person.

A person is ineligible to participate in the ignition interlock device program if that person fails to comply with the insurance requirement of this subsection.

Sec. 46. 32 MRSA §13795, sub-§1, ¶B, as enacted by PL 1995, c. 175, §1, is amended to read:

B. A valid Maine identification card issued under Title 5 29-A, section ~~88-A~~ 1410;

Sec. 47. Allocation. The following funds are allocated from Other Special Revenue to carry out the purposes of this Act.

	1997-98	1998-99
CONSERVATION, DEPARTMENT OF Maine State Parks Fund		
All Other	\$25,200	\$33,600
Allocates additional funds to reflect increases in dedicated revenues resulting from the expanded use of environmental license plates.		
DEPARTMENT OF CONSERVATION TOTAL	\$25,200	\$33,600
INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF Endangered and Nongame Wildlife Fund		
All Other	\$16,800	\$22,400
Allocates funds to reflect an increase in dedicated revenues resulting from		

the expanded use of environmental license plates.

**DEPARTMENT OF
INLAND FISHERIES AND
WILDLIFE**

TOTAL	\$16,800	\$22,400
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TOTAL ALLOCATIONS	\$42,000	\$56,000
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See title page for effective date.

CHAPTER 438

S.P. 83 - L.D. 263

An Act to Authorize a Physician's Assistant or a Nurse Practitioner to Sign Papers Transferring a Patient for Evaluation for Emergency Involuntary Commitment

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

Sec. 1. 34-B MRSA §3862, sub-§1, ¶B, as amended by PL 1993, c. 596, §1, is further amended to read:

B. If the officer does take the person into protective custody, shall deliver the person immediately for examination ~~by an available licensed physician or licensed clinical psychologist,~~ as provided in section 3863. If the examination occurs in a hospital emergency room, the examination may be performed by a licensed physician, a licensed clinical psychologist, a physician's assistant, a nurse practitioner or a certified psychiatric clinical nurse specialist. If the examination does not occur in a hospital emergency room, the examination may be performed only by a licensed physician or licensed clinical psychologist.

Sec. 2. 34-B MRSA §3863, sub-§2, as enacted by PL 1983, c. 459, §7, is amended to read:

2. Certifying examination. The written application ~~shall~~ must be accompanied by a dated certificate, signed by a licensed physician, physician's assistant, certified psychiatric clinical nurse specialist, nurse practitioner or licensed clinical psychologist, stating:

A. ~~He~~ The physician, physician's assistant, certified psychiatric clinical nurse specialist, nurse practitioner or psychologist has examined the person on the date of the certificate, which date