

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINETEENTH LEGISLATURE

SECOND REGULAR SESSION
January 5, 2000 to May 12, 2000

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 11, 2000

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
2000

2-A. Island vehicles and low-speed vehicles.

The following provisions apply to vehicles operating on islands that have no public ways maintained or supported by the State.

A. Notwithstanding subsection 1, an automobile may be registered for an annual fee of \$2. A low-speed vehicle may be registered for an annual fee of \$4. The registrant must show evidence of payment of the excise tax required by Title 36, section 1482. The municipality may collect an additional \$4 fee annually to defray the cost of removing abandoned vehicles.

B. A low-speed vehicle may be operated on an island if the governing body of the municipality allows. A low-speed vehicle may be operated only on a road or street where the posted speed limit is 35 miles per hour or less. A low-speed vehicle may cross, at an intersection, a road or street with a posted speed limit of more than 35 miles per hour.

C. Any person operating a low-speed vehicle on an island must possess a valid driving license in any class.

Sec. 4. Low-speed vehicle issues. The Department of the Secretary of State and the Maine State Police shall review the potential issues that may arise from the use of low-speed vehicles in the State. This review must include an examination of the potential safety issues involved with low-speed vehicle use, the experience of the 24 other states that allow the use of these vehicles and the experience of any Maine islands that allow low-speed vehicles. The departments shall submit a report to the joint standing committee of the Legislature with jurisdiction over transportation matters by January 16, 2001. The joint standing committee of the Legislature with jurisdiction over transportation matters may report out a bill to implement any recommendations after discussion of the report.

See title page for effective date.

CHAPTER 661

H.P. 1899 - L.D. 2640

An Act to Amend the Program Evaluation Report Contents of the State Government Evaluation Act

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

Sec. 1. 3 MRSA §956, sub-§2, ¶¶G, J and K, as enacted by PL 1995, c. 488, §2, are amended to read:

G. Identification of those areas where an agency has coordinated its efforts with other state and federal agencies in achieving program objectives and other areas in which an agency could establish cooperative arrangements, including, but not limited to, cooperative arrangements to coordinate services and eliminate redundant requirements;

J. Identification of emerging issues for the agency or program in the coming years; ~~and~~

K. Any other information specifically requested by the committee of jurisdiction; ~~and~~

Sec. 2. 3 MRSA §956, sub-§2, ¶L is enacted to read:

L. A comparison of any related federal laws and regulations to the state laws governing the agency or program and the rules implemented by the agency or program.

See title page for effective date.

CHAPTER 662

H.P. 1933 - L.D. 2677

An Act to Revise the Salaries of Certain Kennebec County Officers

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.

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

Whereas, it has become necessary to revise the salaries of certain county officers of Kennebec County; and

Whereas, it is desired to have these revisions retroactive to January 1, 2000; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 30-A MRSA §2, sub-§1-B, ¶B, as repealed and replaced by PL 1999, c. 377, §1 and affected by §2, is repealed and the following enacted in its place:

2000

B. Kennebec County:

- (1) Commissioners
 - (a) Chair \$8,283
 - (b) Members 7,735
- (2) Treasurer 9,923
- (3) Sheriff 43,450
- (4) Judge of Probate 22,190
- (5) Register of Probate 27,507
- (6) Register of Deeds 29,342

Sec. 2. Retroactivity. This Act applies retroactively to January 1, 2000.

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

Effective April 10, 2000.

CHAPTER 663

S.P. 723 - L.D. 2043

An Act to Clarify Underinsured Motor Vehicle Coverage

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

Whereas, this Act amends Public Law 1999, chapter 271, which becomes effective July 1, 2000, by delaying the effective date of chapter 271 until October 1, 2000; and

Whereas, in order for this Act to become effective before July 1, 2000 it must be enacted as an emergency; 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 preserva-

tion of the public peace, health and safety; now, therefore,

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

Sec. 1. 24-A MRSA §2902, sub-§2, as amended by PL 1999, c. 271, §1 and affected by §3, is further amended to read:

2. The With respect to motor vehicle insurance policies subject to the Maine Automobile Insurance Cancellation Control Act and policies in the assigned risk plan established pursuant to section 2325 securing private passenger auto insurance coverage, the amount of coverage to be so provided may not be less than the amount of coverage for liability for bodily injury or death in the policy offered or sold to a purchaser unless the purchaser expressly rejects such an amount, but in any event may not be less than the minimum limits for bodily injury liability insurance provided for under Title 29-A, section 1605, subsection 1.

A rejection of equal coverage by the purchaser under this subsection must be in writing on a form provided by the insurer. The rejection must be signed by the purchaser, dated and include the following language: "I understand that Maine law requires uninsured motor vehicle coverage limits to equal the limits I have selected for liability coverage for bodily injury or death in this policy unless I expressly reject such an amount of coverage. Pursuant to the Maine Revised Statutes, Title 24-A, section 2902, subsection 2, I have elected to purchase uninsured motor vehicle coverage with lesser limits."

For coverage purchased on or after October 1, 2000, the form must be provided to the purchaser prior to the effective date of coverage. For renewal policies in force as of September 30, 2000, the form must be provided upon the first offer of renewal to each purchaser who has current coverage limits less than those required under this subsection. To be effective, a form must be signed by any one named insured under the policy. If a signed form rejecting higher coverage is not received by the insurer prior to the effective date of the policy to which it applies, then the higher coverage must be provided consistent with this subsection from the policy issuance date for coverage purchased on or after October 1, 2000 and from the effective date of the first renewal on or after October 1, 2000 for policies in force as of September 30, 2000.

This subsection may not be construed to prohibit an insured from prospectively changing coverage to alternative limits of uninsured motor vehicle coverage so long as a signed form, if necessary, is submitted to the insurer prior to the effective date of the change. If an insured has maintained the same uninsured vehicle coverage limits for 2 consecutive years with the same