

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTIETH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**November 13, 2002 to November 14, 2002**

**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 4, 2002 to June 14, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**FEBRUARY 13, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 13, 2003**

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

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2003**

## CHAPTER 166

H.P. 1065 - L.D. 1457

**An Act To Make Technical  
Amendments to Truck Size and  
Weight Laws**

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

**Sec. 1. 10 MRSA §1182-A**, as enacted by PL 1997, c. 521, §28, is amended to read:

**§1182-A. Exemption for installation on previously  
assembled truck chassis**

This chapter does not apply to a person, partnership, firm, association, corporation or trust, resident or nonresident, that manufactures, assembles, distributes, sells, leases, solicits or advertises the sale or lease of a motor vehicle that consists of the installation on a previously assembled truck chassis in excess of 25,000 pounds gross vehicle weight rating, as defined by Title 29-A, ~~section 2351, subsection 3~~ section 101, subsection 26-B, special bodies or equipment that, when installed, form an integral part of the motor vehicle and constitute a major manufacturing alteration. This exemption applies only to entities that do not franchise in the State.

**Sec. 2. 29-A MRSA §101, sub-§8-A** is enacted to read:

**8-A. Axle weight.** "Axle weight" means the weight of an axle plus the weight of the load carried by the axle.

**Sec. 3. 29-A MRSA §101, sub-§23-A** is enacted to read:

**23-A. Final-stage manufacturer.** "Final-stage manufacturer" means a manufacturer who performs manufacturing operations on an incomplete vehicle such that the vehicle becomes complete.

**Sec. 4. 29-A MRSA §101, sub-§§26-A and 26-B** are enacted to read:

**26-A. Gross vehicle weight.** "Gross vehicle weight" or "GVW" means the actual total weight of the vehicle and load.

**26-B. Gross vehicle weight rating.** "Gross vehicle weight rating" or "GVWR" means the weight of the vehicle and load as determined by the final-stage manufacturer, as the rating appears on the vehicle.

**Sec. 5. 29-A MRSA §101, sub-§29-A** is enacted to read:

**29-A. Interstate highway, interstate system or interstate highway system.** "Interstate highway," "interstate system" or "interstate highway system" has the same meaning as defined in Title 23, section 1903, subsection 3, except that it does not include that portion of the Maine Turnpike designated Interstate 95 and 495 and that portion of Interstate 95 from the southern terminus of the Maine Turnpike to the New Hampshire state line.

**Sec. 6. 29-A MRSA §101, sub-§60-A** is enacted to read:

**60-A. Registered weight.** "Registered weight" means the gross vehicle weight specified on the vehicle's registration certificate.

**Sec. 7. 29-A MRSA §101, sub-§66-A** is enacted to read:

**66-A. Single-axle unit.** "Single-axle unit" means one axle, or 2 axles less than 4 feet apart as measured from axle center to axle center.

**Sec. 8. 29-A MRSA §101, sub-§78-A** is enacted to read:

**78-A. Tandem-axle unit.** "Tandem-axle unit" means 2 or more axles at least 4 feet and not more than 8 feet apart, as measured from axle center to axle center of the extreme axles.

**Sec. 9. 29-A MRSA §101, sub-§§86-A and 86-B** are enacted to read:

**86-A. Tri-axle semitrailer.** "Tri-axle semitrailer" means a semitrailer that contains one tri-axle unit.

**86-B. Tri-axle unit.** "Tri-axle unit" means 3 axles more than 8 feet and less than 12 feet apart, as measured between the centers of the first and 3rd axles. If the axle center of a single-axle unit is closer than 10 feet, or 9 feet in the case of a steering axle, to the axle center of the nearest axle of a tri-axle unit, the 4 axles are a tri-axle unit.

**Sec. 10. 29-A MRSA §2351**, as amended by PL 1999, c. 164, §1, is repealed.

**Sec. 11. 29-A MRSA §2353, sub-§4, ¶E**, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is repealed.

**Sec. 12. 29-A MRSA §2357, sub-§4**, as amended by PL 1999, c. 580, §8 and affected by §14, is further amended to read:

**4. Six-axle combination.** Notwithstanding subsection 2, a 6-axle combination vehicle, consisting of a 3-axle truck tractor operating in combination with a tri-axle semitrailer may not exceed 100,000 pounds.

The distance between the extreme axles of a vehicle under this subsection, excluding the steering axle, must be at least 32 feet and the vehicle must be registered for at least 90,000 pounds. The maximum gross vehicle weight permitted is reduced by 2,000 pounds for each foot the distance is less than 32 feet between the extreme axles, excluding the steering axle, measured to the nearest foot.

**Sec. 13. 29-A MRSA §2382, sub-§6**, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

**6. Scope of permit.** A permit is limited to the particular vehicle or object to be moved, the trailer or semitrailer hauling the overlimit object and particular ways and bridges.

**Sec. 14. 29-A MRSA §2390, sub-§1, ¶F**, as enacted by PL 1993, c. 683, pt. A, §2 and affected by Pt. B, §5, is amended to read:

F. A combination of truck tractor, semitrailer and full trailer, or a combination of truck tractor and 2 semitrailers, may be operated on the Interstate Highway System and those qualifying federal aid primary system highways designated by the Secretary of the United States Department of Transportation, pursuant to the United States Surface Transportation Assistance Act of 1982, Public Law 97-424, Section 411, with an overall length in excess of 65 feet, if no semitrailer or trailer length exceeds 28.5 feet. This vehicle combination may also operate on other highways designated by the Commissioner of Transportation.

**Sec. 15. 29-A MRSA §2390, sub-§1, ¶J**, as amended by PL 2001, c. 267, §13 and affected by §16, is further amended by repealing subparagraph (6).

**Sec. 16. 29-A MRSA §2390, sub-§1, ¶J**, as amended by PL 2001, c. 267, §13 and affected by §16, is further amended by adding after subparagraph (12) a new subparagraph (13) to read:

(13) This paragraph does not apply to a trailer or semitrailer when transporting or returning empty from transporting a nondivisible load or object under the provisions of an overlimit permit granted by section 2382.

See title page for effective date.

## CHAPTER 167

### H.P. 1066 - L.D. 1461

#### An Act To Improve Participation in the Farms for the Future Program

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

**Sec. 1. 7 MRSA §318, sub-§2, ¶B**, as enacted by PL 1999, c. 763, §1, is amended to read:

B. The degree of threat to the continuation of agricultural use of the land due to factors such as the financial capacity and current farm management practices of the applicant ~~and development pressures in the area where the farm is located.~~

**Sec. 2. 7 MRSA §318, sub-§4**, as enacted by PL 1999, c. 763, §1, is repealed.

**Sec. 3. 7 MRSA §319, sub-§2, ¶B**, as enacted by PL 1999, c. 763, §1, is amended to read:

B. The degree of threat to the continuation of agricultural use of the land due to factors such as the financial capacity and current farm management practices of the applicant ~~and development pressures in the area where the farm is located;~~ and

**Sec. 4. 7 MRSA §319, sub-§4**, as enacted by PL 1999, c. 763, §1, is amended to read:

**4. Farmland protection agreement.** A selected farm must enter into a ~~2nd~~ 5-year farmland protection agreement with the department before the department provides investment support pursuant to this section. The agreement must provide that the farm will protect the land in agricultural use from nonagricultural development for the period of the agreement. ~~The 5-year term of the 2nd farmland protection agreement must run consecutively with a first farmland protection agreement entered into by the selected farm pursuant to section 318.~~ A selected farm may terminate ~~a 2nd~~ the farmland protection agreement at any time if the farm repays the department for any funds provided to the farm by the department pursuant to this section.

See title page for effective date.

## CHAPTER 168

### H.P. 1049 - L.D. 1430

#### An Act To Improve Farmer Participation in the Agricultural Marketing Loan Fund