

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 2010 to June 29, 2011

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 28, 2011

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

Augusta, Maine
2011

a motor vehicle designed and used by a law enforcement agency primarily as a command and control platform for emergency response;

- (2) A person to operate recreational vehicles for personal use;
- (3) A person to operate commercial motor vehicles for military purposes as required in 49 Code of Federal Regulations, Section 383.3 (2005);

(4) A person to operate registered farm motor trucks bearing the letter "F" on the registration plate when the vehicle is:

- (a) Controlled and operated by a farmer, including operation by the farmer's employees or family members;
- (b) Used to transport agricultural products, farm machinery or farm supplies to or from a farm;
- (c) Not used in the operation of a common or contract motor carrier; and
- (d) Used within 150 miles of the registered owner's farm;

(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; or

(6) A person to operate a truck registered as an antique automobile, regardless of weight or combination weight, provided the vehicle is used for noncommercial recreational purposes or purposes pursuant to section 101, subsection 3.

See title page for effective date.

CHAPTER 166
S.P. 400 - L.D. 1286

An Act To Rename the Maine Fire Training and Education Program at Southern Maine Community College the Maine Fire Service Institute

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

Sec. 1. 20-A MRSA §9001, first ¶, as repealed and replaced by PL 1987, c. 124, §3 and amended by PL 1989, c. 878, Pt. I, §12, is further amended to read:

The president may conduct programs to provide fire training and education for members of municipal fire departments, incorporated volunteer fire departments, industrial fire brigades, institutional fire brigades and the general public, to be known as the Maine Fire Training and Education Program Service Institute.

See title page for effective date.

CHAPTER 167
S.P. 72 - L.D. 221

An Act To Make Changes to the Motorcycle Inspection Sticker Requirements

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

Sec. 1. 29-A MRSA §405, sub-§1, as amended by PL 2005, c. 577, §9, is further amended to read:

1. Automobile, truck, truck tractor, motor home, moped, semitrailers not exceeding a gross vehicle weight of 2,000 pounds, special mobile equipment, tractor and camp trailer registration. Registration for an automobile, truck, truck tractor, motor home, ~~motorcycle~~, moped, semitrailer not exceeding a gross vehicle weight of 2,000 pounds, special mobile equipment, tractor and camp trailer is as follows.

- A. A registration expires on the last day of the month one year from the month of issuance.
- B. When an application is made after the registration for the previous year has expired, the term of the renewal begins on the month of the issuance of the previous registration.

C. A person who has a fleet of 5 or more motor vehicles may petition the Secretary of State for a common expiration date of all vehicle registrations.

Sec. 2. 29-A MRSA §1758, sub-§3, as enacted by PL 2009, c. 624, §2 and affected by §4, is amended to read:

3. Motorcycles; proof of inspection. If a motorcycle meets the inspection standard, upon payment of applicable inspection fees pursuant to section 1751, subsection 3-A a valid certificate of inspection and an official inspection sticker for the motorcycle must be issued. The certificate of inspection must be kept with the registration certificate of the motorcycle and the official inspection sticker must be affixed to the rear of the motorcycle: on the registration plate.

~~A. On a mounting plate that must be securely fastened to the motorcycle frame or similar integral component of the motorcycle; or~~

~~B. On a rear fender or similar frame or integral body part of the motorcycle.~~

The official inspection sticker must be located so that it is completely and clearly visible from the rear of the motorcycle ~~and may not be affixed to the registration plate.~~ If the registration plate is reassigned to another motorcycle pursuant to section 463, subsection 4, the certificate of inspection and the official inspection sticker expire upon reassignment.

Sec. 3. PL 2009, c. 624, §4 is amended to read:

Sec. 4. Effective date. Those sections of this Act that amend the Maine Revised Statutes, Title 29-A, section 1758 take effect ~~January~~ March 1, 2012.

Sec. 4. Motorcycle registration plates; registration sticker; direction to the Secretary of State. Before March 1, 2012, the Secretary of State shall design and issue one registration sticker for motorcycle registration plates to be used in lieu of issuing new motorcycle registration plates each calendar year as provided in the Maine Revised Statutes, Title 29-A, section 451, subsection 3. This registration sticker must clearly indicate both the year and month of registration expiration.

Sec. 5. Proof of inspection. Before March 1, 2013, if a motorcycle meets the inspection standard under the Maine Revised Statutes, Title 29-A, section 1751, either a valid certificate of inspection or an official inspection sticker for the motorcycle is acceptable proof of inspection for purposes of Title 29-A, section 1758, subsection 3.

Sec. 6. Registration transition. Motorcycle registrations issued after the effective date of this Act expire on March 31, 2012. Registration fees required by the Maine Revised Statutes, Title 29-A, section

515, subsection 1 and payment of excise tax under Title 36, section 1482 must be prorated accordingly.

A motorcycle registration that is renewed on or after March 1, 2012 has a registration period from April 1st to March 31st of the next calendar year. No portion of the fee is refundable, but, beginning March 1, 2012, credit toward the registration fee and excise tax must be given and registration fees required by Title 29-A, section 515, subsection 1 and payment of excise tax under Title 36, section 1482 must be prorated accordingly.

Sec. 7. Effective date. Those sections of this Act that amend the Maine Revised Statutes, Title 29-A, section 405, subsection 1 and section 1758, subsection 3 take effect March 1, 2012.

See title page for effective date, unless otherwise indicated.

CHAPTER 168

S.P. 139 - L.D. 435

An Act To Improve the Rate of Organ and Tissue Donation by Establishing the Organ Donation Advisory Council

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

Whereas, there is a shortage of organs and tissue available to individuals with life-threatening conditions; and

Whereas, increasing the rates of organ and tissue donation is a critical function of the Organ Donation Advisory Council; 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. 5 MRSA §12004-I, sub-§36-E is enacted to read:

36-E.

<u>Human</u>	<u>Organ</u>	<u>Not Au-</u>	<u>29-A MRSA</u>
<u>Services</u>	<u>Donation</u>	<u>thorized</u>	<u>§1402-B</u>
	<u>Advisory</u>		
	<u>Council</u>		