

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

FIRST SPECIAL SESSION
October 23, 2017 to November 6, 2017

SECOND REGULAR SESSION
January 3, 2018 to May 2, 2018

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
FEBRUARY 5, 2018

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 1, 2018

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

Augusta, Maine
2018

capacity of the program, the program shall give priority to eligible veterans who were discharged or released from military service no longer than 2 years prior to seeking assistance.

See title page for effective date.

CHAPTER 327

H.P. 1172 - L.D. 1692

An Act To Amend the Motor Vehicle Laws

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

Sec. 1. 29-A MRSA §456, sub-§1, as amended by PL 1995, c. 645, Pt. A, §2 and affected by §18, is further amended to read:

1. University of Maine System plate. The Secretary of State, upon receiving an application and evidence of payment of the excise tax required by Title 36, section 1482, the registration fee required by section 501 or section 504 and the administrative fee and voluntary contribution provided for in subsection 2, shall issue a registration certificate and a set of University of Maine System registration plates to be used in lieu of regular registration plates. These plates must bear identification numbers and letters.

Sec. 2. 29-A MRSA §456-A, sub-§1, as amended by PL 2009, c. 435, §2, is further amended to read:

1. Lobster plates. The Secretary of State, upon receiving an application and evidence of payment of the excise tax required by Title 36, section 1482, the annual motor vehicle registration fee required by section 501 or section 504 and the contribution provided for in subsection 2, shall issue a registration certificate and a set of lobster special registration plates to be used in lieu of regular registration plates. These plates must bear identification numbers and letters. The Secretary of State may issue lobster plates to certain state-owned vehicles in accordance with section 517.

Sec. 3. 29-A MRSA §456-A, sub-§8, as amended by PL 2015, c. 473, §§5 and 6, is repealed.

Sec. 4. 29-A MRSA §456-B, sub-§1, as enacted by PL 2001, c. 623, §4, is amended to read:

1. Maine Black Bears plates. The Secretary of State, upon receiving an application and evidence of payment of the excise tax required by Title 36, section 1482, the annual motor vehicle registration fee required by section 501 or section 504 and the contribution provided for in subsection 2, shall issue a registration certificate and a set of Maine Black Bears special registration plates to be used in lieu of regular registra-

tion plates. These plates must bear identification numbers and letters.

Sec. 5. 29-A MRSA §456-B, sub-§8, as amended by PL 2007, c. 383, §4, is repealed.

Sec. 6. 29-A MRSA §456-C, sub-§1, as amended by PL 2013, c. 496, §4, is further amended to read:

1. Sportsman registration plates. The Secretary of State, upon receiving an application and evidence of payment of the registration fee required by section 501 or section 504 and the excise tax required by Title 36, section 1482, shall issue a registration certificate and a set of sportsman plates to be used in lieu of regular registration plates. These plates must bear identification numbers and letters. Vanity plates may not duplicate vanity plates issued in another class of plate. The Secretary of State shall begin issuing sportsman registration plates by April 1, 2008. Sportsman vanity plates are issued in accordance with this section and section 453.

Sec. 7. 29-A MRSA §456-D, sub-§1, as repealed and replaced by PL 2007, c. 703, §7, is amended to read:

1. We Support Our Troops plates. The Secretary of State, upon receiving an application and evidence of payment of the excise tax required by Title 36, section 1482, the registration fee required by section 501 or section 504 and the administrative fee and contribution provided for in subsection 2, shall issue a registration certificate and a set of We Support Our Troops plates to be used in lieu of regular registration plates. These plates must bear identification numbers and letters.

Sec. 8. 29-A MRSA §456-D, sub-§6, as repealed and replaced by PL 2007, c. 703, §7, is repealed.

Sec. 9. 29-A MRSA §456-E, sub-§1, as enacted by PL 2007, c. 547, §2, is amended to read:

1. Breast cancer support services plates. The Secretary of State, upon receiving an application and evidence of payment of the excise tax required by Title 36, section 1482, the annual motor vehicle registration fee required by section 501 or section 504 and the contribution provided for in subsection 2, shall issue a registration certificate and a set of breast cancer support services special registration plates to be used in lieu of regular registration plates. These plates must bear identification numbers and letters.

Sec. 10. 29-A MRSA §456-E, sub-§8, as enacted by PL 2007, c. 547, §2, is repealed.

Sec. 11. 29-A MRSA §456-G, sub-§1, as enacted by PL 2009, c. 73, §1, is amended to read:

1. Support Animal Welfare plates. The Secretary of State, upon receiving an application and evi-

dence of payment of the excise tax required by Title 36, section 1482, the annual motor vehicle registration fee required by section 501 or section 504 and the contribution provided for in subsection 2, shall issue a registration certificate and a set of Support Animal Welfare special registration plates to be used in lieu of regular registration plates.

Sec. 12. 29-A MRSA §456-G, sub-§8, as enacted by PL 2009, c. 73, §1, is repealed.

Sec. 13. 29-A MRSA §468, first ¶, as amended by PL 2007, c. 383, §5, is further amended to read:

The Secretary of State may not issue a specialty license plate until the sponsor has met all of the requirements of this section and the proposed specialty license plate legislation as required in subsection 7 is reviewed by the joint standing committee of the Legislature having jurisdiction over transportation matters and approved by the Legislature. For the purposes of this ~~section~~ subchapter, "specialty license plate" means a specially designed registration plate that may be used in place of the regular plate and registration for fundraising purposes. The Secretary of State shall administer a specialty license plate in accordance with the following provisions.

Sec. 14. 29-A MRSA §468, sub-§8, as amended by PL 2007, c. 383, §5, is further amended to read:

8. Weight limit. ~~A~~ Except as provided under section 456-F, subsection 7, paragraph B, a specialty license plate under this subchapter may be issued for an automobile or pickup truck that does not exceed 10,000 26,000 pounds registered weight.

Sec. 15. 29-A MRSA §468, sub-§9, as enacted by PL 2007, c. 383, §5, is amended to read:

9. Limit on authorization. The Secretary of State shall retire and cease to issue any plate authorized after January 1, 2007 ~~upon the occurrence of the earlier of:~~ if the number of registrations falls below 4,000 for more than one year.

~~A. When the number of sets of the plate issued falls below 4,000 for more than one year; and~~

~~B. Ten years after the date of authorization.~~

Sec. 16. 29-A MRSA §562, sub-§3, as amended by PL 2009, c. 598, §24, is repealed and the following enacted in its place:

3. Powers and duties. The board may advise the Secretary of State on matters related to motor carrier safety, including advising the Secretary of State on a methodology for the Secretary of State to use to review motor carriers for the purpose of suspending carriers with adverse safety records.

The board shall hold a hearing upon the appeal of a motor carrier whose privilege to operate a commercial motor vehicle has been suspended by the Secretary of State upon the recommendation of the bureau or whose privilege to operate a commercial motor vehicle has been suspended by the Secretary of State pursuant to section 2458, subsection 2, paragraph V. The board's decision must include a recommendation that the Secretary of State uphold, modify or rescind the suspension. The hearing must be conducted in accordance with the Maine Administrative Procedure Act.

Sec. 17. 29-A MRSA §562, sub-§4, as enacted by PL 1995, c. 376, §3, is amended to read:

4. Rules. The board may adopt rules pursuant to the Maine Administrative Procedure Act to carry out the purposes of this section. Rules adopted by the board may include authorizing the bureau to suspend a motor carrier's privilege to operate a commercial motor vehicle upon the bureau's review of the safety record of the motor carrier.

Sec. 18. 29-A MRSA §1411, as enacted by PL 2007, c. 251, §1, is repealed.

Sec. 19. 29-A MRSA §2458, sub-§2, ¶T, as amended by PL 2007, c. 438, §3, is further amended to read:

T. Has failed to comply with the provisions of Title 36, chapter 459; ~~or~~

Sec. 20. 29-A MRSA §2458, sub-§2, ¶U, as enacted by PL 2005, c. 433, §24 and affected by §28, is amended to read:

U. Has failed to provide the information required in section 401, subsection 2; ~~or~~

Sec. 21. 29-A MRSA §2458, sub-§2, ¶V is enacted to read:

V. Has exceeded the motor carrier adverse safety limits established by the Secretary of State using the methodology developed pursuant to section 562, subsection 3.

See title page for effective date.

CHAPTER 328

H.P. 1157 - L.D. 1670

An Act To Revise the Grandparents Visitation Act

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

Sec. 1. 19-A MRSA §1802, sub-§2 is enacted to read:

2. Sufficient existing relationship. "Sufficient existing relationship" means a relationship involving