

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE
114TH LEGISLATURE
FIRST REGULAR SESSION



BILL SUMMARY
JOINT STANDING COMMITTEE
ON
TRANSPORTATION

JULY 1989

MEMBERS

Sen. R. Donald Twitchell *
Sen. Reynold Theriault
Sen. Robert R. Gould

Rep. Fred W. Moholland *
Rep. Harold M. Macomber
Rep. Jeffery N. Mills
Rep. Hilda C. Martin
Rep. Mona Walker Hale
Rep. Robert E. Hussey, Jr.
Rep. Orland G. McPherson
Rep. Donald A. Strout
Rep. Clyde A. Hichborn
Rep. Ronald C. Bailey

* Denotes Chair

Staff: Haven Whiteside, Legislative Analyst

Office of Policy & Legal Analysis
Room 101, State House Sta. 13
Augusta, ME 04333
(207) 289-1670

MARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, PRINCIPAL ANALYST
ULIE S. JONES, PRINCIPAL ANALYST
DAVID C. ELLIOTT, PRINCIPAL ANALYST
WILBERT W. BREWER
RODD R. BURROWES
MIRO FLATEBO
JEBORAH C. FRIEDMAN
JOHN B. KNOX



STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL: (207) 289-1670

ANNIKA E. LANE
EDWARD POTTER
MARGARET J. REINSCH
LARS H. RYDELL
JOHN R. SELSER
HAVEN WHITESIDE
CAROLYN J. CHICK, RES. ASST
ROBERT W. DUNN, RES. ASST
HARTLEY PALLESCHI, JR., RES. ASST

ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1989

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The summaries are arranged by LD number for each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action is listed to the right of the title. If final House and Senate action differ, both are listed. Committee Reports and Floor Action are abbreviated as follows:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-A	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

Each individual summary was prepared by the analyst assigned, as noted for each committee. But, this document was produced by the efforts of all the office staff, including Research Assistant Barbara McGinn, and secretaries: Charlene Brann, and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.

SPONSOR(S)
TWITCHELL
POULIOT
STROUT D
MACOMBER

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
S-335

SUMMARY

This bill is the annual omnibus bill containing changes in Title 29 proposed by the Division of Motor Vehicles.

CA (S-335) replaces the entire bill and makes it an emergency measure.

Part A, Section 1 defines antique motorcycle.

Section 2 corrects an inconsistency in the definition of bus.

Section 3 allows a helper motor to be attached to the rear wheel of a motorized bicycle or tricycle.

Section 4 and 25 reallocate Title 29 section 6, which deals with unauthorized reproduction of documents to section 2181.

Section 5 provides that the Secretary of State may authorize a state, county or municipal government or subdivision to design, distribute and sell a commemorative registration plate in celebration of its centennial, bicentennial or sesquicentennial.

Section 6 and 7 allow for the issuance of antique plates on motorcycles.

Section 8 replaces the Secretary of State by the Commissioner of Transportation as the person to issue reasonable access permits for oversized trucks wishing to leave the Interstate highway system.

Section 9 eliminates the annual handicap placard leaving only permanent placards or temporary placards.

Section 10 corrects technical errors in PL 1989, chapter 112. concerning Motor Vehicle Plates for POW Spouses.

Section 11 allows a licensed salvage dealer to obtain a vehicle dealer license without paying an additional fee. The initial \$150 application fee is still required.

Section 12 makes Class E crimes of operating as a vehicle dealer after the dealer's license is suspended or failing to surrender the dealer license and plates after suspension.

Section 13 clarifies that a dealer with dealer wrecker plates can only tow the dealer's own customers.

Section 14 clarifies that inspections of dealers will be conducted only during normal business hours, and requires dealers to comply with the federal Truth in Mileage Act of 1986.

Section 15 adds repossession companies to the list of persons who may obtain transporter plates.

Section 16 changes a reference regarding automobile graveyards from Title 30 to its replacement, Title 30-A.

Section 17 conforms 29 MRSA §364-A to the federal Truth in Mileage Act , and changes "intentional" to "knowing" violations.

Section 18 gives the Secy of State authority to provide and affix the door sticker used when an odometer has been changed.

Section 19 replaces the licensing of auctioneers by the licensing of auction businesses by the Secy of State.

Section 20 applies the statutory requirements for records of vehicle auctioneers to auction businesses.

Section 21 gives the Medical Advisory Board the same exemptions from liability as physicians who advise the Secy of State.

Section 22 exempts small trailer dealers and equipment dealers without dealer plates from road insurance requirements .

Sections 23 and 24 require a light transmittance of at least 50% for tinted windows in motor vehicles .

Section 25 establishes a Class E crime for fraud on documents submitted to the Secy of State. Fraudulently issued licenses will still be revoked.

Sections 26 and 27 clarify that when the date of commission of a moving violation falls during the term of a provisional license the license is suspended.

Section 28 amends the definition of a recycler.

Section 29 deletes a reference to 29 MRSA §895-B, repealed.

Section 30 and 31 require compliance with Title 29, section 364-A on odometers when a vehicle is transferred.

Section 32 makes falsity on documents used to support a title application a Class D crime, like falsity on the application..

Section 33 allows a Motor Vehicle Division inspector to inspect and impound vehicle parts and makes refusal to allow an inspection of a vehicle or part a Class E crime.

Section 34 clarifies that anyone who rebuilds or repairs salvage vehicles for resale must obtain a used vehicle dealer license in addition to the salvage vehicle dealer license.

Section 35 exempts towing companies which tow accident-damaged vehicles and store them awaiting disposition of an insurance claim from having a salvage dealer license.

Section 36 allows annexes for salvage dealers in the same manner as for new and used car dealers.

Section 37 adds violations of Title 17-A or Title 29 as they relate to the sales of vehicles or parts as grounds for denying, suspending or revoking a salvage dealer license.

Section 38 makes Class E crimes of operating as a salvage dealer with a suspended license or failing to surrender the dealer license after suspension.

Section 39 exempts scrap processors from the necessity of accounting for every vehicle part received, unless a whole vehicle is received. It also applies the Federal Truth in Mileage Act to salvage dealers.

Section 40 clarifies that the owner of a motor vehicle may have the vehicle inspected more frequently than on an annual basis.

Section 41, 43 and 44 repeal the mandatory common expiration date for a motor vehicle inspection and registration.

Section 42 increases from 30 to 60 days the time that a dealer may have a vehicle before having to reinspect it prior to sale.

Section 45 and 46 repeal the provision for voluntary inspection of semitrailers and trailers and replaces this with a mandatory inspection for commercial motor vehicles exceeding 10,000 pounds, except for farm or fish trucks, effective Dec 7, 1989, the same as the new federal regulations. The fee is the normal labor rate of the service station.

Part B, section 1 resolves a conflict between 2 inconsistent public laws retaining the later enactment.

**LD 1473 An Act Concerning the Imposing and Collection of Fines for ONTP
 Motor Vehicle Infractions Pertaining to Rental Vehicles**

SPONSOR(S) COMMITTEE REPORT AMENDMENTS ADOPTED
CAHILL P ONTP

SUMMARY

This bill prohibits municipalities from fining motor vehicle rental agencies for any traffic violation committed by a renter.

LD 1476 An Act Regarding the Transportation of Students ONTP

SPONSOR(S) COMMITTEE REPORT AMENDMENTS ADOPTED
MITCHELL ONTP
CLARK N

SUMMARY

This bill would increase the number of passengers from 10 to 14 before a vehicle would be designated a school bus.