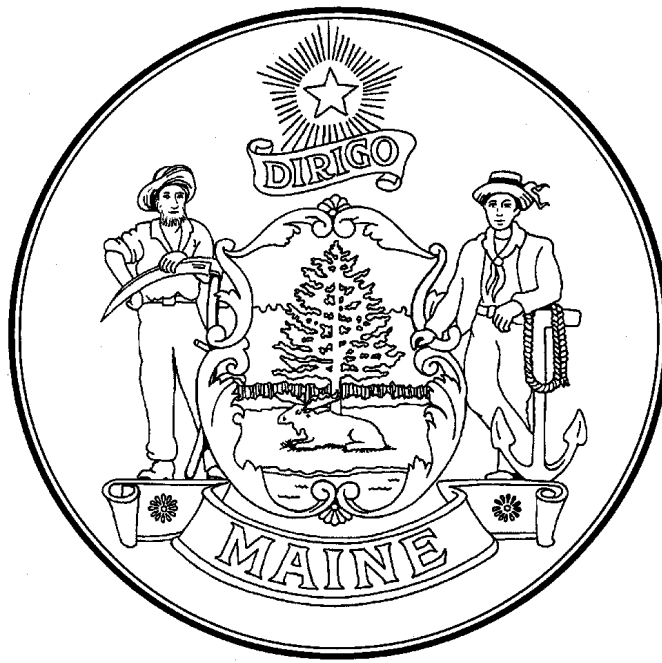


# MAINE STATE LEGISLATURE

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**COMMITTEE ON: TRANSPORTATION**

**LD#:** 841

**TITLE:** AN ACT TO REVISE AND RECODIFY THE MAINE REVISED  
STATUTES, TITLE 29.

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**HEARING DATE:** JANUARY 10, 1994

**WORK SESSION DATE:** APRIL 28, 1993  
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**COMMITTEE REPORT:** OUGHT TO PASS AS AMENDED



# 116th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1993

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Legislative Document

No. 841

S.P. 277

In Senate, March 9, 1993

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**An Act to Revise and Recodify the Maine Revised Statutes, Title 29.**

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Reported by the Committee on Transportation pursuant to Resolve 1987, chapter 33.  
Reference to the Committee on Transportation suggested and ordered printed pursuant to  
Joint Rule 20.

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

S.P. 277 is a three-hundred and sixty-two page bill regarding the Recodification of the Transportation Statutes and is not of general interest. Because of the size and expense of printing this bill, a very limited quantity will be available (vs. 1200 copies of most L.D.'s). Because of the reduced printing, the normal distribution of Legislative Documents will not be followed on this L.D. The Committee on Transportation is expected to make extensive corrections and refinements to this document.

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

PART A

Sec. A-1. 29 MRSA, as amended, is repealed.

Sec. A-2. 29-A MRSA is enacted to read:

TITLE 29-A

MOTOR VEHICLES

CHAPTER 1

GENERAL PROVISIONS

§101. Definitions

As used in this Title, unless the context otherwise indicates, the following terms have the following meanings.

1. Adjudication. "Adjudication" means a finding by a court that a person has committed a traffic infraction and includes the acceptance by the clerk of the violations bureau or any judicial division of an answer of no contest.

2. Altered vehicle. "Altered vehicle" means a motor vehicle with a gross vehicle weight rating of 10,000 pounds or less that is modified so that the distance from the ground to the lowermost point on any part of the frame or body is different from the manufacturer's specifications, unless that difference is caused by:

A. The use of tires that are no more than 2 sizes larger than the manufacturer's recommended size;

B. The installation of a heavy duty suspension, including shock absorbers and overload springs; or

C. Normal wear of the suspension system that does not affect control of the vehicle.

3. Antique auto. "Antique auto" means an automobile manufactured in or after model year 1916 that is:

A. More than 25 years old;

B. Equipped with an engine manufactured either at the same time as the vehicle or to the specifications of the original engine;

2 C. Maintained primarily for use in exhibitions, club  
3 activities, parades or other functions of public interest;  
4 and

5 D. Not used as its owner's primary mode of transportation  
6 of passengers or goods.

7 4. Antique motorcycle. "Antique motorcycle" means a  
8 motorcycle or a motor-driven cycle that is:

9 A. More than 25 years old;

10 B. Equipped with an engine manufactured either at the same  
11 time as the vehicle or to the specifications of the original  
12 engine;

13 C. Maintained primarily for use in exhibitions, club  
14 activities, parades or other functions of public interest;  
15 and

16 D. Not used as its owner's primary mode of transportation  
17 of passengers or goods.

18 5. Authorized emergency vehicle. "Authorized emergency  
19 vehicle" means any one of the following vehicles:

20 A. An ambulance;

21 B. A Baxter State Park Authority vehicle operated by a  
22 Baxter State Park ranger;

23 C. A Bureau of Marine Patrol vehicle operated by a coastal  
24 warden;

25 D. A Department of Conservation vehicle operated by a  
26 forest ranger;

27 E. A Department of Conservation vehicle used for forest  
28 fire control;

29 F. A Department of Corrections vehicle used for responding  
30 to the escape of or performing the high-security transfer of  
31 a prisoner, juvenile client or juvenile detainee;

32 G. A Department of Inland Fisheries and Wildlife vehicle  
33 operated by a warden;

34 H. A Department of Public Safety vehicle operated by a  
35 liquor enforcement officer for the purpose of enforcing

section 2411 or Title 28-A, a state fire inspector or a  
Maine Drug Enforcement Agency officer;

I. An emergency medical service vehicle;

J. A fire department vehicle;

K. A hazardous material response vehicle;

L. A railroad police vehicle;

M. A sheriff's department vehicle;

N. A State Police or municipal police department vehicle;

O. A vehicle operated by a chief of police, a sheriff or a  
deputy sheriff when authorized by the sheriff;

P. A vehicle operated by a municipal fire inspector, a  
municipal fire chief, an assistant or deputy chief or a town  
forest fire warden;

Q. A vehicle operated by a qualified deputy sheriff or  
other qualified individual to perform court security-related  
functions and services as authorized by the State Court  
Administrator pursuant to Title 4, section 17, subsection  
15; or

R. A Federal Government vehicle operated by a federal law  
enforcement officer.

6. Automobile. "Automobile" means a motor vehicle designed  
for the conveyance of passengers that has a seating capacity of  
not more than 15 persons, including the operator.

6-A. Axle. "Axle" means an assembly of a vehicle  
consisting of 2 or more wheels whose centers are in one  
horizontal plane and by which a portion of the weight of a  
vehicle load may be transmitted to the roadway.

7. Bicycle. "Bicycle" means a device upon which a person  
may ride that is propelled by human power and that has 2 tandem  
wheels, either of which is more than 20 inches in diameter.

8. Bureau. "Bureau" means the Bureau of Motor Vehicles.

9. Bus. "Bus" means a motor vehicle designed for carrying  
more than 15 persons, including the operator.

10. Business or residential district. "Business or residential district" means the part of a municipality, contiguous to a way, that is built up with structures that are situated less than 150 feet apart for a distance of at least 1/4 of a mile.

11. Camp trailer. "Camp trailer" means a trailer or semitrailer primarily designed and constructed to provide temporary living quarters for recreational, camping, travel or other use.

"Camp trailer" includes a manufactured or homemade tent trailer, so called, that consists of a platform, shelf or box with means of permanently or temporarily attaching a tent. "Camp trailer" does not include a mobile home.

12. Certified reserve officer. "Certified reserve officer" means an officer who has attended the 100-hour reserve training program sponsored by the Maine Criminal Justice Academy and has received the academy's certification as a reserve officer.

13. Classic vehicle. "Classic vehicle" means a motor vehicle more than 10 years old but less than 25 years old that the Secretary of State determines is of significance to vehicle collectors because of its make, model and condition and is valued at more than \$5,000.

14. Commercial driver's license. "Commercial driver's license" means a license authorizing an individual to operate a class of commercial motor vehicle.

15. Commercial motor vehicle. "Commercial motor vehicle" means a motor vehicle that:

A. Has a gross vehicle weight rating or a registered weight of 26,001 or more pounds;

B. Is a bus; or

C. Is used in the transportation of hazardous materials requiring placarding under the federal Hazardous Materials Transportation Act and related regulations in 49 Code of Federal Regulations, Part 172, Subpart F.

16. Crosswalk. "Crosswalk" means the portion of a way:

A. At an intersection that is included within extensions of the lateral lines of the sidewalks on opposite sides of the way beginning at the curbs or, in the absence of curbs, from the edge of traversable roadways; or

2        B. At an intersection or elsewhere that is distinctly  
4        indicated for pedestrian crossing by lines or other markings  
      on the way surface.

6        17. Curb. "Curb" means the edge of a sidewalk nearest to a  
      way or either edge of the wrought or usually traveled part of a  
8        way.

10       18. Daytime. "Daytime" means any time from 1/2 hour before  
      sunrise to 1/2 hour after sunset.

12       19. Department. "Department" means the Department of  
14       Transportation.

16       20. Farming. "Farming" means engaging in farming in all  
      its branches and the cultivation and tillage of the soil as a  
18       livelihood and includes dairying; raising livestock, freshwater  
      fish, fur-bearing animals or poultry; producing, cultivating,  
20       growing and harvesting fruit produce or floricultural or  
      horticultural commodities; or any practices on a farm that are  
22       incident to or in conjunction with these farming operations. For  
      the purposes of this Title, "farming" does not include forestry,  
24       the growing of timber or the operation of a farm for recreational  
      activity.

26       21. Fish truck. "Fish truck" means a 2-axle or 3-axle motor  
28       truck used primarily to harvest and transport fish or marine  
      animals, including use in aquaculture.

30       22. For-hire transportation. "For-hire transportation"  
32       means the transportation for compensation of passengers, freight  
      or merchandise not owned by the carrier.

34       23. Gross weight. "Gross weight" means the weight in  
36       pounds of an empty vehicle or axle plus the weight of the maximum  
      load to be carried by the vehicle or axle.

38       24. Hazardous material. "Hazardous material" has the same  
40       meaning as in the federal Hazardous Materials Transportation Act,  
      49 United States Code, Section 1801 et seq.

42       25. Horseless carriage. "Horseless carriage" means an  
44       automobile manufactured before model year 1916 that is:

46       A. Equipped with an engine manufactured either at the same  
      time as the vehicle or to the specifications of the original  
48       engine of the vehicle;

2 B. Maintained primarily for the use in exhibitions, club  
4 activities, parades and other functions of public interest;  
6 and

8 C. Not used as its owner's primary mode of transportation  
10 of passengers or goods.

12 26. Intersection. "Intersection" means:

14 A. For ways joining each other at approximately right  
16 angles, the area within the extension of the outside  
18 boundary of the way or curb lines;

20 B. For other joining ways, the area at the junction within  
22 which vehicles may come in contact; or

24 C. Where the opposite lanes of a divided highway are  
26 separated by 30 feet or more, every crossing of each lane by  
28 an intersecting highway.

30 27. Law enforcement officer. "Law enforcement officer"  
32 means a state police officer, a sheriff, a sheriff's deputy or a  
34 municipal police officer.

36 28. License. "License" means a driver's license or other  
38 license, permit or privilege to operate a motor vehicle.  
40 "License" includes, but is not limited to, a temporary license, a  
42 provisional license, an instruction permit, a nonresident  
44 operating privilege and the privilege of a person to operate a  
46 motor vehicle without a license.

48 29. Limousine. "Limousine" means a vehicle for hire, with  
50 a driver, that is used for the transportation of passengers and  
52 that has a seating capacity of at least 5 and no more than 14  
54 persons behind the driver.

56 30. Median strip. "Median strip" means a physical barrier  
58 separating lanes of traffic moving in opposite directions.

60 31. Minor. "Minor" means a person who has not attained 18  
62 years of age.

64 32. Mobile home. "Mobile home" means a structure,  
66 transportable in one or more sections, that:

68 A. Is 8 feet or more in width and 32 feet or more in length;

70 B. Is built on a permanent chassis;

2        C. Is designed to be used as a dwelling, with or without a  
4        permanent foundation, when connected to the required  
6        utilities; and

8        D. Includes internal plumbing, heating or air conditioning  
10       and electrical systems.

12       The term "mobile home" includes a mobile home when used: for the  
14       advertising, sale, display or promotion of merchandise or  
16       services; for a commercial purpose, except the transportation of  
18       property; or as public school facilities.

20       33. Moped. "Moped" means a motor-driven cycle with 2 or 3  
22       wheels that:

24       A. May have foot pedals to permit human propulsion;

26       B. Has a motor with a maximum of 2 brake horsepower and a  
28       cylinder capacity not exceeding 50 cubic centimeters that is  
30       capable of propelling the vehicle unassisted at a speed of  
32       30 miles per hour or less on a level road surface; and

34       C. Is equipped with a power drive system that only  
36       functions directly or automatically and does not require  
38       clutching or shifting by the operator after the drive system  
40       is engaged.

42       "Moped" does not include a motorized bicycle or tricycle.

44       34. Motor carrier. "Motor carrier" means a contract  
46       carrier, a common carrier or a private carrier of property or  
48       passengers by motor vehicle.

50       35. Motorcycle. "Motorcycle" means a motor vehicle that  
52       has a seat or a saddle for the use of the rider and is designed  
54       to travel with not more than 3 wheels in ground contact.  
56       "Motorcycle" does not include a motorized bicycle or tricycle, a  
58       tractor or a parking control vehicle.

60       36. Motor-driven cycle. "Motor-driven cycle" means a  
62       motorcycle, including a motor scooter, with a motor that produces  
64       less than 150 cubic centimeters displacement or that has 5 brake  
66       horsepower or less. "Motor-driven cycle" does not include a  
68       motorized bicycle or tricycle.

70       37. Motor home. "Motor home" means a motor vehicle that:

72       A. Is originally designed, reconstructed or permanently  
74       altered to provide facilities for human habitation; or

2           B. Has a camper permanently attached to it.

4           "Motor home" does not include a mobile home.

6           38. Motorized bicycle or tricycle. "Motorized bicycle or  
tricycle" means a bicycle or tricycle that:

8           A. May have pedals to permit human propulsion;

10          B. Has a motor attached to a wheel that is rated at no more  
than 1.5 brake horsepower and has a cylinder capacity not  
12          exceeding 50 cubic centimeters; and

14          C. Has an automatic transmission.

16          39. Motor vehicle. "Motor vehicle" means a self-propelled  
vehicle not operated exclusively on tracks but does not include:

18          A. A snowmobile as defined in Title 12, section 7821; and

20          B. An all-terrain vehicle as defined in Title 12, section  
22          7851, unless the all-terrain vehicle is registered for  
24          highway use.

26          40. Motor vehicle enforcement officer. "Motor vehicle  
enforcement officer" means an employee of the Department of the  
28          Secretary of State or the Department of Public Safety designated  
to enforce the provisions of this Title.

30          41. Motor vehicle violation. "Motor vehicle violation"  
32          means a violation of this Title.

34          42. Moving violation. "Moving violation" means a violation  
of this Title while a vehicle is actually in operation or motion.

36          43. Muffler. "Muffler" means a device consisting of a  
38          series of chambers or baffle plates or another mechanical design  
for receiving exhaust gas from an internal combustion engine and  
40          reducing noise.

42          44. Nighttime. "Nighttime" means a time other than daytime.

44          45. Nonresident. "Nonresident" means a person whose legal  
residence is not in the State of Maine.

46          46. Operator. "Operator" means an individual who drives or  
48          is in control of a vehicle or who is exercising control over or  
steering a towed vehicle.

2        47. Original registration. "Original registration" means a  
3        registration other than a renewal of registration by the same  
4        owner.

5        48. Owner. "Owner" means a person holding title to a  
6        vehicle or having exclusive right to the use of the vehicle for a  
7        period of 30 days or more.

8        49. Parking area. "Parking area" means an area designed  
9        for use as access or parking for patrons and customers of  
10       establishments to which the public is invited.

11       50. Parking control vehicle. "Parking control vehicle"  
12       means a 3-wheel vehicle of 25 horsepower or less that has a metal  
13       roof and is operated by a law enforcement officer to control  
14       parking and traffic.

15       51. Person. "Person" means an individual, corporation,  
16       firm, partnership, joint venture, association, fiduciary, trust,  
17       estate or any other legal or commercial entity.

18       51-A. Pick-up truck. "Pick-up truck" means a truck with a  
19       gross vehicle weight of 6,000 pounds or less.

20       52. Pilot vehicle. "Pilot vehicle" means a motor vehicle  
21       equipped and operated as required by rules adopted by the  
22       Secretary of State that accompanies a vehicle or combination of  
23       vehicles that have a length, width, height or weight greater than  
24       that specified in this Title.

25       53. Pneumatic tire. "Pneumatic tire" means a tire in which  
26       confined air supports the load.

27       54. Private way. "Private way" means a way privately owned  
28       and maintained over which the owner may restrict use or passage  
29       and includes a discontinued way even if a public recreation  
30       easement has been reserved.

31       55. Public way. "Public way" means a way, owned and  
32       maintained by the State, a county or a municipality, over which  
33       the general public has a right to pass.

34       56. Reconstructed vehicle. "Reconstructed vehicle" means a  
35       vehicle that has been reconstructed to change the original  
36       steering, braking system, suspension system or body design,  
37       including, but not limited to, a dune buggy, a street rod, a  
38       passenger car converted to a pickup truck or a manufactured  
39       vehicle body mounted on another manufactured chassis. Repair to  
40       a vehicle that replaces parts with similar parts is not  
41       reconstruction.

2        **57. Registration.** "Registration" means the registration  
4 certificate, plates and renewal devices pertaining to the  
registration of a vehicle, including temporary registered gross  
6 weight increases.

8        **58. Resident.** "Resident" means a person who has declared  
10 or established residency in this State or has been domiciled in  
this State for a period of at least 30 days, except for persons  
12 in compliance with section 108, subsection 1.

14        A nonresident who has a place of business in this State is deemed  
16 to be a resident:

18            A. For all vehicles owned by that person that are garaged  
20 or maintained in this State; or

22            B. If engaged in the business of renting you-drive or  
you-haul vehicles for an apportioned share of all vehicles  
based on the ratio of the mileage of vehicles operated in  
this State to the total mileage of vehicles operated both  
within and without the State.

24        **59. Revocation of driver's license.** "Revocation of  
26 driver's license" means the termination of a license or privilege  
to operate by formal action of the bureau or a court. A revoked  
28 license may not be restored or renewed but may only be regained  
by a new application.

30        **60. Saddle mount vehicle transporter combination.** "Saddle  
32 mount vehicle transporter combination" means a combination  
vehicle consisting of a truck or tractor towing one or more  
34 trucks or tractors each of which is connected by a saddle to the  
frame or 5th wheel of the vehicle in front of it. The saddle is  
36 a mechanism that connects the front axle of the towed vehicle to  
the frame or 5th wheel kingpin connection. This vehicle  
38 combination may include a fullmount, which consists of a smaller  
vehicle mounted completely on the frame of either the first or  
40 the last vehicle in a saddle mount vehicle transporter  
combination.

42        **61. Sell.** "Sell" means to sell, offer, negotiate or  
44 advertise to sell, display for sale, exchange or otherwise  
transfer for value.

46        **62. Semitrailer.** "Semitrailer" means a vehicle:

48            A. Without motive power;

50            B. Designed for being drawn by a motor vehicle; and

2 C. Designed so that some part of its weight and its load  
3 rests upon or is carried by that motor vehicle.

4 "Semitrailer" includes, but is not limited to, so-called pole  
5 dollies and pole dickeys and wheels commonly used as a support  
6 for the ends of logs or other long articles. "Semitrailer"  
7 excludes tow dollies.

8  
9 63. Solid tires. "Solid tires" means tires of solid rubber  
10 or other material that do not depend on confined air for the  
11 support of the load.

12  
13 64. Solid waste. "Solid waste" means useless, unwanted or  
14 discarded solid material with insufficient liquid content to be  
15 free-flowing, including, but not limited to, rubbish, garbage,  
16 refuse-derived fuel, scrap materials, junk, refuse, inert fill  
17 material and landscape refuse, but not including hazardous waste,  
18 biomedical waste, septic tank sludge or agricultural wastes. The  
19 fact that a solid waste or constituent of the waste may have  
20 value or other use or may be sold or exchanged does not exclude  
21 it from this definition.

22  
23 65. Special equipment. "Special equipment" means equipment  
24 that is drawn by a motor vehicle and that is not designed or used  
25 to convey property other than hand tools or parts used in  
26 connection with the operation of that equipment, including, but  
27 not limited to, air compressors, conveyors, cement mixers, wood  
28 splitting or sawing machines, sprayers, compactors, pumps, drills  
29 and brush chippers.

30  
31 66. Special mobile equipment. "Special mobile equipment"  
32 means a self-propelled device operated over the highways that is  
33 not designed or used primarily for the transportation of persons  
34 or property, including, but not limited to, road construction or  
35 maintenance machinery, ditch-digging apparatus, stone crushers,  
36 air compressors, power shovels, cranes, graders, rollers, trucks  
37 used only to plow snow and to carry sand for ballast, well  
38 drillers and wood-sawing equipment used for hire or similar types  
39 of equipment.

40  
41 Special mobile equipment that makes frequent movement over public  
42 ways, including, but not limited to, self-propelled well drillers  
43 or air compressors, is considered Class A equipment. All other  
44 special mobile equipment may be considered Class A or Class B  
45 equipment at the option of the registrant.

46  
47 67. Stinger-steered autotransporter. "Stinger-steered  
48 autotransporter" means a combination vehicle consisting of a  
49 tractor and semitrailer designed and used specifically for the  
50 transport of motor vehicles that has the 5th wheel located on a

drop frame located behind and below the rearmost axle of the power unit.

**68. Stock race car.** "Stock race car" means a factory-produced motor vehicle that is equipped with roll bars or bracing welded or attached to the frame in a permanent manner, special safety belts and firewalls and that has part of the body removed.

**69. Stop.** "Stop," when required, means complete cessation of movement.

**70. Stop or stopping.** "Stop" or "stopping," when prohibited, means halting, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device.

**71. Street or highway.** "Street" or "highway" means a public way.

**72. Street rod.** "Street rod" means a replica of or a modified antique auto manufactured prior to 1949 that complies with standards adopted by the Chief of the State Police.

**73. Suspension of driver's license.** "Suspension of driver's license" means the temporary withdrawal of a license or privilege to operate a motor vehicle by formal action of the bureau or a court.

**74. Sunrise and sunset.** "Sunrise" and "sunset" are the times given in the Maine Farmers' Almanac for sunrise and sunset respectively on that particular day.

**75. Taxicab.** "Taxicab" means a sedan, station wagon or minivan used for hire, with a driver, that has a seating capacity of fewer than 5 persons behind the driver.

**76. Team.** "Team" means a conveyance for persons and for property on a way, except a motor vehicle or a vehicle that is propelled or drawn by human power or used exclusively on tracks.

**77. Tow dolly.** "Tow dolly" means a device towed by a motor vehicle and designed and used exclusively to transport another motor vehicle and on which the front or rear wheels of the towed motor vehicle are mounted, while the other wheels of the towed motor vehicle remain in contact with the ground.

2       **78. Tractor.** "Tractor" means a motor vehicle used  
primarily off the highway for farming, forestry or other similar  
types of activities.

4  
6       **79. Traffic.** "Traffic" means pedestrians, ridden or herded  
animals, vehicles and other conveyances either singly or together  
using public way for travel.

8  
10       **80. Traffic control device.** "Traffic control device" means  
a sign, a signal, a marking or a device placed or erected by a  
public body or official to regulate, warn or guide traffic.

12  
14       **81. Traffic infraction.** "Traffic infraction" means any  
violation of any provision of this Title, or of any rules  
established under this Title, not expressly defined as a crime,  
and otherwise not punishable by incarceration or, unless  
specifically authorized, by a fine of more than \$500.

16  
18       The term "traffic infraction" as used in any public or private  
20 law of this State, or in any rule adopted pursuant to any law of  
this State, or in any ordinance enacted by any political  
22 subdivision of this State, has this same meaning and effect.

24       **82. Trailer.** "Trailer" means a vehicle without motive  
power, designed to carry persons or property and to be drawn by a  
26 motor vehicle, not operated on tracks, and so constructed that no  
part of its weight rests upon the towing vehicle. "Trailer" does  
28 not include tow dollies.

30       **82-A. Truck.** "Truck" means a motor vehicle with a  
registered gross weight in excess of 6,000 pounds designed and  
32 used primarily to carry property. A truck may be used to tow  
trailers or semitrailers.

34  
36       **83. Truck camper.** "Truck camper" means a slide-in camper  
designed to be mounted on a truck body to provide temporary  
living quarters for recreational, camping, travel or other use.

38  
40       **84. Truck tractor.** "Truck tractor" means a motor vehicle  
designed and used exclusively to draw other vehicles and not  
constructed to carry a load other than a part of the weight of  
42 the vehicle and the load drawn.

44       **85. Vehicle.** "Vehicle" means a device for conveyance of  
persons or property on a way. "Vehicle" does not include  
46 conveyances propelled or drawn by human power or used exclusively  
on tracks or snowmobiles as defined in Title 12, section 7821.

2       86. Way. "Way" means the entire width between boundary  
3       lines of a road, highway, parkway or street, whether public or  
4       private, used for vehicular traffic.

6       87. Wrecker. "Wrecker" means a motor vehicle with hoisting  
7       apparatus and special equipment designed and used for towing or  
8       carrying wrecked or disabled vehicles or freeing vehicles stalled  
9       or stuck in snow, mud or sand. "Wrecker" does not include a  
10       vehicle designed to carry or tow more than one vehicle on its own  
11       body.

12       **§102. Public way use authorized**

14       Any vehicle may be operated on a public way unless  
15       prohibited or restricted by this Title, by special law or  
16       municipal ordinance, or by rule of the department.

18       **§103. Traffic infraction**

20       1. Civil violation. A traffic infraction is not a crime,  
21       but is a civil violation. The penalty for a traffic infraction  
22       may not be deemed for any purpose a penal or criminal punishment.

24       2. Jury trial. There is no right to trial by jury for a  
25       traffic infraction.

26       3. Exclusive penalty. The exclusive penalty for a traffic  
27       infraction that is a violation of any public or private law of  
28       this State, or of any rule adopted pursuant to any law of this  
29       State, is a fine and suspension of license, permit, the right to  
30       operate a motor vehicle in this State and the right to apply for  
31       or obtain a license or permit, or both. The exclusive penalty  
32       for a traffic infraction that is a violation of any ordinance  
33       enacted by any political subdivision of this State is a fine.

36       **§104. Penalty for violation of provisions of Title**

38       Except as otherwise provided, a person who violates any  
39       provision of this Title commits a Class E crime.

40       **§105. Enforcement**

42       All state, county and local law enforcement officers and all  
43       investigators appointed by the Secretary of State pursuant to  
44       section 152, subsection 2 shall expeditiously enforce the  
45       provisions of chapter 9; section 1612; Title 10, chapter 217; and  
46       Title 30-A, chapter 183, subchapter I as it relates to automobile  
47       graveyards.

50       **§106. Officers authorized to service process or notice**

2        A person authorized to serve civil process may serve a  
3        process or notice required by this Title.

4  
5        **§107. Service of process on nonresidents**

6        This section applies to service of process on nonresidents.

7  
8        **1. Acceptance of jurisdiction.**    The acceptance by a  
9        nonresident of the rights and privileges conferred by this Title  
10       as evidenced by the nonresident's or the nonresident's agent's  
11       operation of a motor vehicle on a public way in this State or of  
12       aircraft in this State is:

13       **A.**    An appointment of the Secretary of State to be the  
14       nonresident's true and lawful attorney on whom may be served  
15       a process in an action or proceeding against that  
16       nonresident, growing out of an accident or collision in  
17       which that person may be involved during that operation; and

18       **B.**    Evidence of agreement that the process against the  
19       nonresident that is so served is of the same legal force and  
20       validity as if served on the nonresident personally.

21       **2. Method of service.**    Service must be made by leaving a  
22       copy of the process with a fee of \$2 in the office of the  
23       Secretary of State. This service is sufficient if:

24       **A.**    Notice of the service and a copy of the process are  
25       personally served on the defendant and the return showing  
26       that service is filed with the clerk of the court where the  
27       action is pending; or

28       **B.**    Notice of the service and a copy of the process are sent  
29       by registered mail to the defendant and the defendant's  
30       receipt for the registered mail and the plaintiff's  
31       affidavit of compliance are filed with the clerk of the  
32       court in which the action is pending.

33       **3. Deceased defendant.**    If the defendant is deceased,  
34       service may be made in the same manner on a personal  
35       representative or, if there is no personal representative, on the  
36       public administrator in the county in which the action is  
37       pending. Notwithstanding other requirements for probate, when  
38       service is made on the public administrator, the administrator  
39       shall petition the Probate Court for probate of the defendant's  
40       estate.

2       4. Continuances. The court may order a continuance if  
3       necessary to afford the defendant or a personal representative  
4       reasonable opportunity to defend the action.

5       5. Plaintiff's bond. The plaintiff shall file with the  
6       return of service a bond to the defendant, with 2 or more  
7       sureties approved by the judge or clerk of the court, or with a  
8       surety company authorized to do business in this State, as surety  
9       in the sum of \$100, conditioned that, if judgment is rendered  
10       against the plaintiff, as much of the penalty of the bond  
11       required to satisfy a judgment for costs awarded must be applied  
12       to the judgment. The attorney for the plaintiff is liable to the  
13       defendant for costs in the action for an amount not exceeding \$50  
14       until the bond is filed.

15       6. Fee taxed in costs to prevailing plaintiff. The fee of  
16       \$2, paid by the plaintiff to the Secretary of State, is taxed in  
17       the plaintiff's costs, if the plaintiff prevails in the action.

18       7. Record of service. The Secretary of State shall keep a  
19       record of the day and the hour of service.

20       8. Application to a resident who becomes a nonresident.  
21       This section applies to a resident who becomes a nonresident  
22       prior to the time that an action or proceeding has been brought.

23       **\$108. Reciprocity**

24       1. Provisions not applicable to nonresidents. The  
25       provisions of this Title on registration of vehicles and  
26       operators' licenses do not apply to:

27       A. A nonresident owner or operator, if that person has  
28       complied with the provisions of the laws on registration and  
29       licensing of the jurisdiction of residence.

30       B. A nonresident student enrolled in a university, college  
31       or school within this State as long as that student  
32       possesses a valid registration and license issued by the  
33       jurisdiction of legal residence.

34       The exemptions from registration of this subsection apply only to  
35       the noncommercial use and operation of vehicles in this State.

36       2. Formal agreements. The Secretary of State, after  
37       determining that like privileges are granted by a state or  
38       province, shall enter into a written agreement with that state or  
39       province setting forth the conditions under which residents of  
40       that jurisdiction engaged in interstate commerce operations in

and through this State are exempt from the registration and licensing laws of this State.

**3. Limitation.** A vehicle may not be operated commercially at a site within this State or used for the transportation of persons, merchandise or materials from one point in this State to another point in this State unless registered in this State or exempt from registration by a written reciprocity agreement as provided in this section, except that a nonresident-owned semitrailer drawn by a power unit registered in this State is permitted to transport merchandise in intrastate commerce.

**4. Weight.** Nothing in this Title permits operation on a public way of a vehicle not registered in this State with weight that exceeds or equipment that does not meet that required of similar resident vehicles.

**5. Violation.** A violation of this section is a Class E crime.

**§109. Application for license and registration by person establishing residency**

A person establishing residency in this State must apply for registration and a license in this State within 30 days of establishing residency.

**§110. Hearings; fees of witnesses; summary process**

In the administration of the laws relative to vehicles and to the operators and the operation thereof, the Secretary of State or a deputy may conduct hearings, subpoena witnesses, administer oaths, take testimony and order the production of books and papers, and for the purposes mentioned in this Title may issue all processes necessary for the performance of the Secretary of State's duties. The fees for travel and attendance of witnesses are the same as for witnesses before the Superior Court and must be paid by the State out of vehicle registration fees upon certificates of the Secretary of State filed with the State Controller. The Superior Court, on the petition of the Secretary of State, may issue summary process to enforce the lawful orders of the Secretary of State in any matter. Hearings conducted by the Secretary of State must be as provided by Title 5, chapter 375, subchapter IV.

**§111. Notice of hearing**

Notice of any hearing held by the Secretary of State or by the Secretary of State's authority under this Title must be consistent with Title 5, section 9052 and notify the licensee or

registrant that the licensee or registrant may then and there appear, in person or through counsel, to show cause why that license or certificate of registration should not be suspended or revoked. Service of that notice is sufficient if sent by regular mail to the address given by the licensee or registrant at least 10 days before the date set for hearing.

#### **§112. Computer transcripts as evidence**

**1. Transcript.** A properly certified transcript of entries of conviction, adjudication, suspension or revocation in official records stored within a computer or data processing device is admissible in evidence to show the truth of the facts stated in the transcript.

**2. Certification.** A transcript may be certified by:

A. A clerk or deputy clerk of any judicial division of the District Court or the violations bureau for records from a judicial division of the violations bureau;

B. A clerk or deputy clerk of a Superior Court for Superior Court records; or

C. The Secretary of State for any court's records.

**3. Secretary of State's certification.** Notwithstanding any other law or rule of evidence, the certificate of the Secretary of State or a deputy, under seal of the State, must be received in a judicial or administrative proceeding as prima facie evidence of any fact stated in the certificate or documents attached to the certificate.

### **CHAPTER 3**

#### **SECRETARY OF STATE**

##### **SUBCHAPTER I**

##### **ADMINISTRATION**

#### **§151. Duties of Secretary of State**

The Secretary of State shall:

**1. Forms; certificates; notices.** Prescribe and provide suitable forms of applications, certificates of title, notices of security interests and all other notices and forms necessary to carry out the provisions of this Title;

2        2. Maintain offices. Maintain 13 full-time offices at  
4        convenient places to carry out duties related to applications for  
      registration of and licenses for the operation of motor vehicles;  
6        and

8        3. Publish abstract of laws. Publish an abstract of  
      statutes pertaining to vehicles and rules made by the Secretary  
10       of State and the Department of Transportation pertaining to this  
      Title, together with other information related to public safety  
12       and regulation of traffic.

14       §152. Powers of Secretary of State

16       The Secretary of State may:

18       1. Investigation for information. Make necessary  
      investigations for information required to carry out the  
20       provisions of this Title, including, but not limited to, review  
      of records and investigations in the field;

22       2. Deputize agents, examiners and investigators. Appoint  
      and deputize agents, examiners and motor vehicle investigators,  
24       stationed at convenient places, to receive applications for  
      registration and licenses for the operation of vehicles, to  
26       conduct examinations and to perform assigned duties.

28       A motor vehicle investigator may enforce chapter 3, subchapter  
30       IV, chapters 5, 7, 9 and 11, chapter 19, subchapter II, chapter  
      23, subchapter III and those provisions of Title 17-A that relate  
32       to duties assigned under this Title with the powers throughout  
      the State that a sheriff has in a county. Enforcement power does  
34       not include provisions under section 2054, subsection 2,  
      paragraph D and does not include authority to make routine motor  
36       vehicle stops;

38       3. Central computer system. Notwithstanding any other  
      provisions of law, purchase and maintain a central computer  
40       system for purposes of administering this Title and conducting  
      departmental operations. All other uses must be approved by the  
42       Secretary of State. The Secretary of State shall adopt rules  
      regarding the maintenance and use of data processing information  
44       files required to be kept confidential and shall distinguish  
      those files from files available to the public;

46       4. Facsimile signature of Secretary of State. Use a  
      facsimile signature, which has the same validity as the Secretary  
48       of State's written signature and is admissible in court;

2       5. Assign new identification number. Assign a new  
3       identification number to a vehicle if it has none, or its  
4       identification number is destroyed or obliterated, or its motor  
5       is changed, and shall either issue a new certificate of title  
6       showing the new identification number or make an appropriate  
7       endorsement on the original certificate; and

8       6. Other data. Require data necessary on forms,  
9       applications, certificates, licenses or other documents.

10       **§153. Rules**

11       The Secretary of State may adopt, amend or repeal rules  
12       necessary to administer this Title, as provided in the Maine  
13       Administrative Procedure Act.

14       **§154. Collection of fees; report**

15       1. Collection of fees. The Secretary of State shall  
16       collect all fees required for registering vehicles and licensing  
17       operators and all permit fees and transmit these fees to the  
18       Treasurer of State.

19       2. Report. The Secretary of State, as required by the  
20       Governor, shall make a report of the fees received for vehicle  
21       registrations and issuances of licenses and from other sources,  
22       with appropriate recommendations.

23       3. Collection costs. Whenever the payment of a fee results  
24       in a protest or is returned by the bank upon which it was drawn  
25       because of insufficient funds, closed account, no account or a  
26       similar reason, the Secretary of State shall charge a service  
27       collection fee of \$2 plus the cost of collection.

28       4. Recovery of fees or use taxes. Whenever the payment of  
29       a fee or use tax required to be collected by the Secretary of  
30       State results in a protest or is returned by the bank upon which  
31       it was drawn because of insufficient funds, closed account, no  
32       account or a similar reason, the Secretary of State may mail a  
33       notice of dishonor, as defined in Title 11, section 3-508, to the  
34       person liable, demanding payment and warning the person that if  
35       the amount due is not paid within 10 days after the mailing of  
36       the notice, suspension of the person's license and registration  
37       will result. If the person fails to pay the required amount  
38       within 10 days after the mailing of the notice, the Secretary of  
39       State may suspend all licenses, permits, certificates and  
40       registrations of the person liable for the fee, fees or tax.

41       5. Recovery of tax on vehicles. Upon receipt of  
42       notification of the State Tax Assessor under Title 36, sections

1955-A or 1955-B, the Secretary of State shall mail a notice to the person liable for the tax, warning that if the amount of tax due is not paid within 10 days after the mailing of the notice, suspension of the registration issued for the vehicle in question will result. If the person fails to pay the required amount within 10 days after the mailing of the notice, the Secretary of State shall suspend the registration issued for the vehicle on which the tax remains unpaid.

**§155. Reciprocal taxes or fees**

**1. Authority to levy reciprocal fees or taxes.** If another jurisdiction imposes a tax or fee on a class of motor vehicles registered in this State and traveling in that jurisdiction and that tax or fee is additional to those imposed by this State upon the same class of motor vehicles not registered in that jurisdiction, the Secretary of State, the Commissioner of Administrative and Financial Services and the Commissioner of Transportation acting together shall levy the same or substantially the same tax or fee upon the same class of motor vehicles registered in that jurisdiction and traveling in this State.

**2. Adoption of rules.** The Secretary of State, the Commissioner of Administrative and Financial Services and the Commissioner of Transportation shall jointly adopt or amend rules for carrying out the purposes of this section.

**3. Monitoring of fees and taxes.** The Secretary of State shall monitor taxes and fees assessed against motor vehicles registered in this State by other jurisdictions to ensure comparable treatment of motor vehicles registered elsewhere and traveling in this State.

**4. Accrual of revenue to Highway Fund.** Revenue derived from taxes or fees levied under this section accrue to the Highway Fund.

**5. Penalty.** A person who fails to pay a tax or fee due under this section commits a Class E crime.

**§156. Reciprocal agreements with New Hampshire**

Notwithstanding any law to the contrary, the Secretary of State may make agreements with the duly authorized representatives of the State of New Hampshire to provide that buses, taxicabs, trucks, tractors, trailers, semitrailers or double-bottoms owned by residents of that state and legally registered in that state may be operated in this State, including for purposes of intrastate commerce, within a zone not to exceed

10 miles from the border with that state. The agreements must provide that a resident of this State, when using the public ways of that adjoining state, is entitled to receive substantially equivalent benefits and privileges.

**§157. Reciprocal and apportioned registrations; International Registration Plan**

**1. Authority for entering into agreement and International Registration Plan.** Notwithstanding this Title, the Secretary of State, in concurrence with the Commissioner of Transportation, may enter into reciprocal agreements or plans with another jurisdiction providing for the registration of vehicles on an apportionment or allocation basis. In the exercise of this authority, the Secretary of State may enter into and become a member of the International Registration Plan.

**2. Registration year.** Fleets must be apportioned under the International Registration Plan on a staggered basis. The registrant shall elect a common registration expiration date for all apportioned vehicles in the fleet. For purposes of this section, "fleet" means one or more vehicles.

**3. Application of plan.** The International Registration Plan agreement prevails if in conflict with other laws or rules regarding registration of vehicles.

**4. Rulemaking.** The Secretary of State shall adopt rules to carry out provisions of the plan.

**5. Registration transition.** The registration of motor vehicles that are to be registered under the International Registration Plan issued in the 12 months prior to Maine's entry must be prorated on a monthly basis. Prorated registrations may be issued for any number of months necessary to provide for the consolidation of fleets of vehicles under a single expiration date.

**6. Registration of fleet operated by nonresident owner.** The Secretary of State may provide for the registration of a fleet of vehicles operated by a nonresident owner on an apportionment or allocation basis when those vehicles are regularly operated between points without the State to points within the State.

**SUBCHAPTER II**

**MUNICIPAL AGENTS**

**§201. Municipal officials as agents**

2        1. Appointment of agents by Secretary of State; scope of  
3        authority. With the approval of the municipal officers, the  
4        Secretary of State may appoint a municipal tax collector, or  
5        other persons designated by a municipality, to collect excise  
6        taxes on vehicles and to receive applications for licenses,  
7        license renewals, registrations and renewals of registrations of  
8        motor vehicles, trailers and semitrailers. The Secretary of  
9        State may authorize a municipal agent to issue licenses,  
10       registrations and renewals of licenses and registrations or may  
11       limit the agent's authority to the issuance of renewals only.

12  
13       2. Issuance of registrations or renewals. An agent  
14       appointed in accordance with subsection 1 may:

15       A. Issue renewals of registration for school buses operated  
16       by school administrative units or private contractors;

17       B. Issue registration renewals for all motor vehicles and  
18       trailers, except for those required to be registered  
19       directly through the Bureau of Motor Vehicles as designated  
20       by the Secretary of State; and

21       C. If authorized to issue registrations and renewals of  
22       registrations, issue:

23       (1) Registrations for pick-up trucks registered for  
24       6,000 pounds or less gross vehicular weight,  
25       automobiles, trailers, semitrailers and farm tractors;  
26       and

27       (2) Registrations for trucks of greater gross weight  
28       than provided in subparagraph (1), after the agent has  
29       satisfactorily participated in special training as  
30       prescribed by the Secretary of State.

31  
32       3. Service fees. Municipal agents appointed in accordance  
33       with subsection 1 may charge service fees for licenses,  
34       registrations and renewals of licenses and registrations as  
35       follows.

36       A. A municipal agent may charge an applicant a fee not to  
37       exceed \$3 over the required fee for each renewal of license  
38       or registration issued and a fee not to exceed \$4 over the  
39       required fee for each new license or registration issued.

40       B. In a municipality in which agents are authorized to  
41       issue licenses, registrations or renewals of licenses or  
42       registrations for applicants from another municipality or  
43       from an unorganized territory, the agent may charge those

2 applicants \$1 in addition to the fees authorized by this  
3 subsection for each license, registration or renewal.

4 C. A municipal agent authorized to issue temporary  
5 registration permits may charge an applicant a fee not to  
6 exceed \$1 over the required permit fee.

8 D. A municipal agent authorized to process permits and  
9 decals for vehicles with gross vehicle weight in excess of  
10 6,000 may charge a fee not to exceed \$1 over the required  
11 fee for each permit or decal issued.

12 E. A municipal agent may charge a fee not to exceed \$1 over  
13 the required fee for the issuance of a duplicate  
14 registration.

15 F. A municipal agent may charge any applicant a fee not to  
16 exceed \$1 over and above the required operators license fee  
17 for each renewal issued.

18 The municipality may retain all service fees authorized in this  
19 subsection.

20 4. Training. The Secretary of State shall provide  
21 necessary training for municipal agents. A municipal agent may  
22 not be appointed for specific duties unless the agent has  
23 successfully completed the appropriate training program.

24 5. Duration of appointment; revocation of appointment.  
25 Unless revoked, the appointment of an agent continues as long as  
26 the agent holds that office or employment. An appointment may be  
27 revoked:

28 A. If the municipal officers that approved the appointment  
29 request that it be revoked; or

30 B. For cause by the Secretary of State.

31 **§202. Disposal of fees; certain towns**

32 Seventy-five percent of all fees received by the State from  
33 the inhabitants of the towns of Cranberry Isles, Frenchboro,  
34 Swan's Island, Isle au Haut, North Haven, Vinalhaven and  
35 Islesboro for the registration of motor vehicles must be spent in  
36 those towns, under the supervision of the Department of  
37 Transportation, on the roads in each town according to the  
38 proportion the amount paid by its inhabitants bears to the amount  
39 paid by the inhabitants of all of these towns.

40 **SUBCHAPTER III**

2 RECORDS

4 §251. Records

6 1. Records required to be kept. The Secretary of State  
8 shall keep record of applications for driver's licenses, motor  
10 vehicle registrations and certificates of title, and of issued  
driver's licenses, instruction permits, motor vehicle  
registrations and certificates of title.

12 2. Public access to records. Records of the Secretary of  
14 State pertaining to the applications, registrations and  
certifications of vehicles and to driver's licenses must be open  
to public inspection during office hours.

16 3. Complaints confidential. Written complaints and certain  
18 control numbers used in the titling of motor vehicles may be kept  
confidential.

20 §252. Reports of records

22 1. Reports furnished to commercial users; fee. The  
24 Secretary of State shall furnish reports of records pertaining to  
26 convictions, adjudications, accidents, suspensions, revocations  
and other information to individuals for a fee of \$4 each.  
Certified copies are an additional \$1.

28 2. Fee waived for official requests. There is no fee for  
30 requests from other motor vehicle departments, state, county and  
federal agencies and law enforcement agencies.

32 §253. Confidentiality of nongovernment vehicle records

34 Upon receiving a written request by an appropriate criminal  
36 justice official and showing cause that it is in the best  
38 interest of public safety, the Secretary of State may determine  
that records of a nongovernment vehicle may be held confidential  
40 for a specific period of time, which may not exceed the  
expiration of the current registration.

42 SUBCHAPTER IV

44 MISCELLANEOUS

46 §301. Forging official documents

48 1. Definition. "Official motor vehicle document" means a  
certificate of registration, driver's license or any other

certificate, permit, license or form used by the Secretary of State in administering the provisions of this Title.

2. Offense. A person commits a Class D crime if that person, without the written consent of the Secretary of State, reproduces, prints, prepares, sells, distributes or transfers an official motor vehicle document or a document in the form of an official motor vehicle document.

### §302. Ways requiring special protection; notice; jurisdiction

1. Ways requiring special protection; rules. The Department of Transportation, county commissioners or municipal officers may adopt rules to ensure proper use and prevent abuse of public ways under their maintenance whenever those ways require special protection.

2. Designation by Department of Transportation. The Department of Transportation may designate state and state aid highways and improved 3rd-class highways and bridges during periods when restrictions on gross weight, speed, operation and equipment apply.

3. Designation by counties and municipalities. County commissioners and municipal officers may designate highways, ways and bridges other than those in subsection 2 and impose restrictions within their respective jurisdictions similar to those made by the Department of Transportation under subsection 2.

4. Notice. A notice specifying the designated sections of a highway, way or bridge, the periods of closing and prescribed restrictions or exclusions must be conspicuously posted at each end of that highway, way or bridge.

5. Enforcement. Municipal officers within their respective municipalities have the same power as the State Police in the enforcement of this section and of all rules of the Department of Transportation, the county commissioners and the municipal officers that pertain to this section. The municipal officers, in such cases, serve without compensation.

6. Violation. A violation of this section is a traffic infraction punishable by a fine, which may not be suspended, of not less than \$250.

### §303. Rented vehicles; records

1. Owner of vehicle to keep record. A person engaged in the business of renting motor vehicles with or without a driver, other than as a transaction involving the sale of the vehicle,

shall maintain a record of the identity of the person to whom the vehicle is rented, including a record of the driver's license of the person to whom the vehicle is rented and the exact time the vehicle is subject to that rental or in the person's possession.

**2. Records open to inspection.** Records kept pursuant to subsection 1 must be open to inspection by any law enforcement officer.

**3. Offense.** A person commits a Class E crime if that person fails to maintain, possess or permit an inspection of the record required by subsection 1.

**4. Form.** If the Secretary of State prescribes a form for the keeping of the record required in subsection 1, the owner must use that form. The form must be carried in the vehicle during the period of lease or hire.

## **CHAPTER 5**

### **VEHICLE REGISTRATION**

#### **SUBCHAPTER I**

#### **REGISTRATION**

#### **Article 1**

#### **General Registration Requirements**

#### **§351. Registration required**

**1. Failure to register or equip.** A person commits a Class E crime if that person fails to register or equip a vehicle that is operated or remains on a public way as provided by this Title.

**2. Operating a motor vehicle with an expired registration.** The owner or operator of a vehicle stopped by a law enforcement officer and having a registration that had expired within 30 days must be issued a warning, rather than a summons, in a form designated by the Chief of the State Police. This warning must state that:

**A. Within 2 business days, the owner or operator must register the vehicle;**

**B. The renewed registration expires on the same month as the previous registration; and**

2           C. The registration fee is the same as for a full year  
3           registration.

4           3. Temporary permit. A law enforcement officer, an  
5           employee of the bureau designated by the Secretary of State or a  
6           certified reserve officer while on duty, when necessary and not  
7           detrimental to public safety, may issue a permit in writing to  
8           allow:

10           A. An unregistered motor vehicle to be towed either by a  
11           regular service wrecker or by the use of a towbar;

12           B. The operation of an unregistered motor vehicle only to  
13           the owner's residence or to an office of the bureau for the  
14           sole purpose of renewing the registration by the same owner;  
15           or

16           C. An unregistered trailer or semitrailer with a gross  
17           weight of 3,000 pounds or less to be towed, for one trip  
18           only, between the points of origin and destination.

19           A permit may be issued under paragraphs A and B only when the  
20           previous registration on the vehicle has expired within 30 days.  
21           A permit issued under this subsection does not remain valid for  
22           more than 3 consecutive days including the date of issuance.

23           **§352. Minors**

24           The Secretary of State may not approve the application of a  
25           minor for registration of a vehicle unless the minor is at least  
26           15 years old and the application is signed by:

27           1. Parent. A parent or guardian that has the custody of  
28           the minor;

29           2. Employer. If the minor has no parent or guardian, the  
30           minor's employer; or

31           3. Minor. If the minor is emancipated, the minor. In this  
32           case, the application must be accompanied by an attested copy of  
33           the court order of emancipation.

34           **§353. Members of Armed Forces**

35           A registration issued by the Armed Forces of the United  
36           States in foreign countries for a vehicle owned by military  
37           personnel is valid for 45 days after the owner has returned to  
38           the United States.

39           **Article 2**

2 Certificates of Registration

4 §401. Application

6 1. Filing of application. Application for vehicle  
8 registration may be made by mail or otherwise to the Secretary of  
10 State.

12 2. Content of application. An application must contain  
14 information requested by the Secretary of State, including name,  
16 residence and address of the registrant, current mileage of the  
18 vehicle, a brief description of the vehicle, the maker, the  
vehicle identification number, the amount of motive power stated  
in horsepower, the type of motor fuel and the actual gross weight  
of the vehicle if intended for commercial use. The application  
must be signed by the registered owner or legal representative.

20 3. Issuance of registration. The Secretary of State, on  
22 approving the application, shall issue:

24 A. A registration number or other distinguishing mark; and

26 B. A certificate of registration that contains the name,  
place of residence and address of the registered owner.

28 4. Refusal. The Secretary of State may refuse to register  
30 the vehicle or to issue a certificate if the applicant has not  
32 provided satisfactory information or if the Secretary of State  
determines that the type of vehicle should not be permitted to be  
on the highways of the State.

34 5. File. The Secretary of State shall maintain a file of  
36 applications and registrations arranged alphabetically according  
to the name of the applicant and numerically according to  
38 registration number.

40 §402. Insurance required prior to registration

42 1. Insurance required. A person may not register a vehicle  
44 unless the person satisfies the Secretary of State that the  
vehicle is covered by a liability insurance policy.

46 2. Method of establishing evidence of insurance. A person  
establishes insurance by showing the vehicle insurance  
48 identification card, as defined by section 1551, subsection 4, to  
either the municipal agent or the bureau, except that a person  
registering the vehicle for the first time may establish  
50 insurance by presenting a letter from an insurance company or

agent showing that the vehicle is covered by a liability insurance policy.

**3. Alternative methods of establishing evidence of insurance.** An individual is considered to comply with subsection 2 if the individual shows evidence of compliance with the provisions of section 1605, subsection 3, paragraph A, B or C.

**4. Exceptions.** The provisions of this section do not apply to:

A. Government vehicles as identified in section 517;

B. Vehicles owned or controlled by a dealer as defined by chapter 9;

C. Vehicles registered as vehicles for hire; or

D. Trailers and semitrailers.

#### **§403. Carrying of registration**

**1. Requirement.** A certificate of registration, except a dealer certificate, must be carried on the person of the operator or occupant, or kept in some easily accessible place in the vehicle.

**2. Presentation.** A court may not find that a person has committed the traffic infraction of failing to carry a registration, if that person produces in court a certificate of registration issued for the vehicle that was valid when the Uniform Summons and Complaint was issued. If the person charged exhibits to a law enforcement officer designated by the issuing officer the certificate of registration at least 24 hours before the time set for the court appearance, the traffic infraction proceeding must be dismissed.

#### **§404. Expiration dates**

The following provisions apply to registration periods.

**1. Automobile, truck, truck tractor, motor home, motorcycle, moped, motor-driven cycle and camp trailer registration.** Registration for an automobile, truck, truck tractor, motor home, motorcycle, moped, motor-driven cycle and camp trailer is as follows.

A. A registration expires on the last day of the month one year from the month of issuance.

2        B. When an application is made after the registration for  
4        the previous year has expired, the term of the renewal  
      begins on the month of the issuance of the previous  
      registration.

6        C. A person who has a fleet of 5 or more automobiles,  
8        trucks or truck tractors may petition the Secretary of State  
      for a common expiration date of all vehicle registrations.

10       2. Other vehicles. All vehicles not governed by subsection  
12       1 have registration periods from March 1st to the last day of  
      February of the next calendar year.

14       3. Early display of plates. A number plate or suitable  
16       device furnished for the next registration period may be  
      displayed on the first day of the month in which the current  
18       registration expires.

20       4. Emergency. The Secretary of State may extend the  
      expiration date of a registration under emergency conditions.

22       **§405. Nontransferability of certificate**

24       A vehicle registration expires on the transfer of ownership  
26       except for a transfer to a surviving spouse.

28       1. Return of certificate. The person in whose name a  
30       transferred vehicle is registered shall return the certificate of  
      registration to the Secretary of State with a written notice  
      containing:

32       A. The date of the transfer;

34       B. The name, address and residence of the buyer;

36       C. A description of the vehicle, including its engine,  
38       serial or vehicle identification number; and

40       D. The odometer reading at the time of transfer.

42       2. Issuance of new registration. On surrender of the  
44       registration, the Secretary of State may not issue a new  
      registration unless the information required under sections 2106  
      and 2107 has been provided on the surrendered registration form.

46       **§406. Defaced or missing identification numbers**

48       1. Assignment of special number. When an engine, serial or  
      vehicle identification number has been omitted, altered, removed

or defaced, the Secretary of State shall assign and attach to the vehicle a special number and maintain a record of the number.

**2. Violation.** A person commits a Class E crime if that person sells, exchanges, offers to sell or exchange, transfers or uses a manufacturer's vehicle identification or serial number plate that has been removed from the vehicle to which it was originally attached.

#### **§407. Vehicles reported stolen**

When the Secretary of State receives an application for registration of a vehicle previously reported as stolen, the Secretary of State shall notify the owner of that vehicle. The Secretary of State may withhold registration for further investigation.

#### **§408. Collection of taxes**

**1. Collection of tax.** The Secretary of State shall act at the time and place of registration on behalf of the State Tax Assessor to collect the sales or use tax due under Title 36, Part 3 for a vehicle or truck camper for which an original registration is required.

**2. Documentation; payment of tax.** Registration may not be issued, unless in addition to meeting the other registration requirements of this Title, the applicant has:

**A. Submitted a dealer's certificate in a form prescribed by the State Tax Assessor, showing either that:**

(1) The sales tax due has been collected by the dealer; or

(2) The sale of the vehicle or truck camper is not subject to tax; or

**B. Properly signed a use tax certificate in a form prescribed by the State Tax Assessor and:**

(1) Paid the amount of tax due; or

(2) Shown that the sale or use of the vehicle or truck camper is not subject to tax.

**3. Collection fee.** Each official shall retain from the use taxes collected a fee of \$1.25 for each vehicle or truck camper, even if a certificate indicates that no use tax is due.

2       Retained fees must be transmitted to the Treasurer of State and  
3       credited to the Highway Fund.

4       Taxes collected must be transmitted to the Treasurer of State and  
5       credited to the General Fund.

6  
7       4. Forwarding certificates. Certificates submitted  
8       pursuant to this section must be sent promptly to the State Tax  
9       Assessor.

10  
11       5. Other taxes. A motor vehicle, mobile home, camp trailer  
12       or truck camper may not be registered until the excise tax or  
13       personal property tax or real estate tax has been paid in  
14       accordance with Title 36, sections 551, 602, 1482 and 1484.

15       6. Remedies cumulative. The provisions of this section are  
16       in addition to other methods for the collection of the sales or  
17       use tax.

### 20                   Article 3

#### 22                   Registration Plates

#### 24       §451. Issuance and form of registration plates

25       1. Authority to issue registration plates. The Secretary  
26       of State shall provide a new general issue of registration plates  
27       periodically as determined by the Legislature. Each new general  
28       issue must be easily distinguishable by color from the preceding  
29       general issue.

30  
31       2. Furnishing registration plates. The Secretary of State  
32       shall furnish registration plates, without charge, with each  
33       registration except to dealers, manufacturers and holders of  
34       transporter registration plates.

35  
36       3. Annual registration plates or devices. The Secretary of  
37       State shall issue new registration plates or a suitable device in  
38       lieu of new registration plates each calendar year. The plate or  
39       device must clearly indicate the year or period for which it is  
40       issued. The Secretary of State may issue permanent registration  
41       plates designed to provide for renewal by changing the expiration  
42       date without issuing new registration plates. A device attached  
43       to the appropriate vehicle or registration plate is proper  
44       registration for the period specified.

45  
46       4. Registration plate design. Registration plates must be  
47       designed as follows.

2       A. Registration plates must bear the year of issue or the  
4       last 2 numerals of that year and the word "Maine" or the  
      abbreviation "Me." in letters of at least 3/4 inch in height  
      centered at the top of the registration plate.

6       B. Except on motorcycle plates, registration plate numbers  
8       may not be substantially less than 3 inches high.

10       C. On registration plates issued for private use and  
12       trucks, the word "Vacationland" must be centered at the  
      bottom in letters not less than 3/4 inch in height.

14       D. A new registration plate must have:

16               (1) A white background;

18               (2) Identification numbers, letters and the border  
      distinctly navy blue; and

20               (3) An illustration of a lobster distinctly lobster  
22               red.

24       5. Special classes of registration plates. A vehicle  
26       required to be registered in a special class under this Title may  
      display only the number plates designed for that special class of  
      registration.

28       6. Plates to be manufactured at State Prison. The Secretary  
30       of State or the duly designated official in charge of vehicle  
32       registration shall purchase and cause to be installed at the  
34       State Prison the necessary equipment and materials for the  
      production of all vehicle registration plates used in the State.  
      Only plates that can not be produced at the prison may be  
      purchased for state use.

36       The Warden of the State Prison shall have charge of operations at  
38       the State Prison relative to the manufacture of all plates made  
40       for the State. The Warden of the State Prison, with the consent  
42       of the Secretary of State, may employ for limited periods of time  
      a supervisor for the purpose of instructing inmates in the  
      operation of making such plates.

44       7. Rules. The Secretary of State may adopt rules to  
46       protect the integrity of registration plates or provide for the  
      issue of replacement plates.

48       §452. Manner of display

50       1. Position of registration plate. A registration plate  
      must be displayed horizontally. Only one set of Maine

registration plates may be displayed on one vehicle. A registration plate must be attached to the front and the rear of each vehicle except as follows.

A. A trailer and semitrailer registration plate may be attached only to the rear of that trailer or semitrailer.

B. A motorcycle or motor-driven cycle registration plate may not be attached to the front of that motorcycle or motor-driven cycle.

C. A manufacturer, dealer or transporter registration plate may be attached only to the rear of the vehicle.

D. A truck tractor registration plate may be attached only to the front of that tractor.

2. Farm trucks. The registration plate for a farm truck or vehicle used for hauling forest products may be attached by means of a rigid or semirigid bracket that allows the plate to swing freely.

3. Clean and visible. Registration plates, including the numbers, letters and words must always be plainly visible and legible.

#### §453. Vanity registration plates

1. Vanity registration plates. The Secretary of State may issue registration plates that contain letters or a combination of letters and numbers for automobiles, taxi cabs, limousines, pickup trucks, motorcycles, motor homes or trailers not to exceed 2,000 pounds, whether semitrailers, 4-wheeled or camp trailers. The number of characters appearing on such a plate may not exceed 7.

2. Fee. The annual service fee for a vanity registration plate is \$15 in addition to the regular motor vehicle registration fee. The service fee must be credited to the General Highway Fund. A sum sufficient to defray the cost of this program must be allocated annually from the General Highway Fund.

3. Duplicate plates. The Secretary of State may not issue duplicate vanity registration plates for trailers, until the registrant has already been issued an identical vanity registration plate for an automobile. The Secretary of State may not issue duplicate vanity registration plates for taxicabs or limousines that are issued to automobiles. The Secretary of

2       State may not issue duplicate vanity plates in the same class of  
3       vehicles.

4       4. Radio plates. Vanity registration plates may be issued  
5       inscribed with official amateur radio call letters. Applications  
6       for radio plates must be accompanied by a notarized proof of  
7       ownership of a valid amateur radio station license issued by the  
8       Federal Communications Commission.

10       5. Facsimile plates. The Secretary of State may issue a  
11       facsimile plate for a 60-day period during production of the  
12       semipermanent plate. The facsimile plate must be attached to the  
13       rear plate bracket.

14       §454. Commemorative registration plates

16       1. Commemorative registration plate authorized. The  
17       Secretary of State may authorize a state, county or municipal  
18       government or a subdivision of a state, county or municipal  
19       government to design and sell a reflectorized, commemorative,  
20       simulated registration plate in celebration of its centennial,  
21       bicentennial or sesquicentennial.

22       2. Display. A commemorative plate may be displayed to  
23       replace the front registration plate on a motor vehicle, except a  
24       truck tractor, including a motor vehicle registered outside this  
25       State and operated within it, from January 1st to December 31st  
26       of the year celebrated.

27       3. Otherwise prohibited. A commemorative plate may not be  
28       sold or displayed except as provided in this section.

30       §455. Antique vehicle registration plates

31       1. Antique vehicle registration plates authorized. The  
32       Secretary of State may issue registration plates for antique  
33       autos, horseless carriages, street rods or antique motorcycles.  
34       These plates must bear the inscription "Maine" and the  
35       inscription "Antique Auto," "Horseless Carriage" or "Street Rod"  
36       or, for antique motorcycles, the inscription "Antique."

37       2. Existing number plates. An owner of an antique vehicle  
38       may keep an existing registration plate number for the new  
39       registration plates.

40       3. Contemporary plates. An owner of an antique auto,  
41       horseless carriage, street rod or antique motorcycle may use  
42       registration plates that were issued in the same year the antique  
43       vehicle was manufactured, as long as the motor vehicle:  
44

2           A. Is over 25 years old;

4           B. Is registered as an antique vehicle; and

6           C. Carries a valid antique motor vehicle registration  
certificate and plates.

8           4. Display of contemporary plates. Contemporary  
10 registration plates must have matching plate numbers, be affixed  
to both the front and rear and conspicuously bear the year of  
12 manufacture.

14           5. Street rod standards. The Chief of the State Police  
16 shall establish standards to qualify vehicles as street rods.  
These standards include:

18           A. The age of the vehicle;

20           B. The equipment and its condition;

22           C. Permissible modifications; and

24           D. Verification of membership in a qualified street rod  
owners organization.

26           6. Application. An application for registration of a  
28 vehicle under this section must be accompanied by an affidavit  
that includes a statement of the age and intended use of the  
30 motor vehicle and that the applicant is a resident. A person  
registering a street rod must furnish verification that the  
32 vehicle is a qualified street rod.

34           7. Registration fee. The fee for registration of an  
36 antique auto, horseless carriage or antique motorcycle is \$12.  
The fee for registration of a street rod is \$27.

38           §456. Stock race cars

40           1. Stock race car plates authorized. The Secretary of  
42 State may issue a registration plate for stock race cars.

44           2. Fee. The fee for a registration plate under this  
46 section is \$5.

48           3. Operation restricted. A stock race car may not be  
operated under its own power on a public way.

§457. Manufacturers, dealers and transporters

1. Special plates. The Secretary of State may select and issue special distinguishing letters, marks or designs for number plates issued to manufacturers, dealers and holders of transporter registration certificates.

2. Special vanity plates. A new car dealer may apply for vanity registration plates that may bear letters or combinations of letters and numbers that are approved by the Secretary of State or a designee. A plate may not be duplicated by other licensed vehicle dealers. These special vanity plates may not be used to supplement existing registration numbers assigned.

The Secretary of State shall charge an additional \$30 fee per plate issued pursuant to this subsection.

#### §458. State officials

1. State official registration plates authorized. The Secretary of State, on payment of the fees required in section 408, subsection 5 and section 501, subsections 1 and 2 and upon application, shall issue one pair of specially designed number plates for one designated motor vehicle owned or controlled by each member of the United States Senate or the United States House of Representatives from this State, or members of the Legislature, Representatives of the Indian Tribes at the Legislature, the President of the Senate, the Speaker of the House of Representatives, the Secretary of the Senate and the Clerk of the House of Representatives. A specially designed plate and its registration certificate may be used in place of the regular plate and registration. The named official may attach to such a motor vehicle one of the valid registration plates issued under section 451 and one of the valid registration special registration plates issued under this section.

2. Additional plates. On request by a United States Senator or by a United States Representative, the Secretary of State, for a fee of \$2, shall issue an additional pair of specially designed number plates for a 2nd designated motor vehicle owned or controlled by that member.

3. Period of validity. An official plate is valid only while the member actually serves in the office for which the member is elected.

4. Design. The Secretary of State shall determine the color, shape, size, lettering and numbering of the official registration plates, except the plates issued to a member of the House of Representatives, other than the Speaker of the House of Representatives, must bear the number of that House District, and

plates issued to a member of the Senate, other than the President of the Senate, must bear the number of that Senatorial District.

**§459. Reservation of same number**

**1. Plate issue year.** In a year in which new registration plates are issued, the Secretary of State shall reserve until July 1st the same registration number for the succeeding registration year for a person who notifies in writing the Secretary of State prior to May 1st of that person's desire to retain that registration number. The fee for retention of the same registration number is \$5.

If a person does not have a vehicle to register on May 1st, a registration number may be held for a maximum of 2 registration years by depositing with the Secretary of State \$10 for each year; except that the registered owner of an antique vehicle may reserve the antique registration assigned to that person for 4 years by depositing the sum of \$12 for each registration year. These fees are not refundable and may not be applied against the registration fee.

All numbers other than those reserved must be released and issued in rotation after July 1st.

A person wishing to select a number out of rotation may do so by paying the registration fee and a reserved number fee of \$5.

A holder of vanity registration plates must pay the sum of \$15 to reserve those letters or combination of letters and numbers, which is credited toward the renewal fee.

**2. Nonplate issue year.** In other than a plate issue year, when a person fails to reregister and the registration remains expired for 6 consecutive months, the reservation of the same number ceases and the number becomes available for reissuance.

For a maximum of 2 registration years, a person may reserve the registration number assigned to that person by depositing with the Secretary of State the sum of \$10 for each year; except that the registered owner of an antique motor vehicle may reserve the antique registration assigned to that person for 4 years by depositing with the Secretary of State the sum of \$12 for each year.

**§460. Temporary registration plates**

**1. Temporary plate attachment.** Except a transporter licensee or loaner licensee, a person licensed as a dealer may, on the sale or exchange of a motor vehicle or trailer, attach to

its rear a temporary registration plate. For the purposes of this subsection, "loaner licensee" means a person to whom the Secretary of State has granted permission to use loaner plates on vehicles owned by that person for the purpose of loaning those vehicles to customers whose vehicles are being repaired at the licensee's business location.

**2. Payment of fee for temporary registration plate.** The fee for a temporary registration plate is \$1 per plate. A purchaser may operate the motor vehicle or trailer with a temporary registration plate for a period of 14 consecutive days without payment of a regular fee. If the purchaser is a nonresident member of the Armed Services, the purchaser may operate a motor vehicle or trailer for a period of 20 consecutive days without payment of a regular fee. At the end of this initial period, a resident who is unable to comply with the requirements of chapter 7 or a nonresident who has applied for but has not yet received a registration certificate from a home state may request the Secretary of State to extend this period without charge for an additional 20 days.

**3. Trucks.** A temporary registration plate may not be used on a loaded truck without a written permit from the Secretary of State.

**4. Mobile homes.** A temporary registration plate may not be used on a house trailer or mobile home unless the operator of the vehicle possesses the written certificate from the tax collector required by section 1002, subsection 9.

**5. Motorcycle.** A temporary registration plate for a motorcycle must be the same size as the regular motorcycle plate.

**6. Notice of date of expiration.** A person attaching a temporary registration plate to a vehicle sold or exchanged by that person, shall mark on the plate the date of expiration and immediately notify the Secretary of State of the sale or exchange, giving the name and address of the purchaser, the number of the temporary plate and other information as the Secretary of State may require. The date may not be less than one inch in height and must be written with indelible or waterproof ink.

**7. Temporary registration certificate.** When a temporary registration plate is attached to a vehicle, the Secretary of State must furnish the purchaser a certificate of temporary registration.

**8. Trailer transit plate.** Persons in the business of delivering or servicing mobile homes or storage trailers may

2 apply for a trailer transit license and plates for the purpose of  
4 transporting or servicing mobile homes or storage trailers  
6 temporarily in their custody. The holder of a trailer transit  
8 plate may not use the plate in lieu of registration plates issued  
10 under this Title and may not loan the plate to another person.  
12 If the trailer transit plate is used on a storage trailer, the  
14 storage trailer must be empty. Trailer transit plates may not be  
16 used on a towing vehicle.

18 Issuance of a trailer transit license and plate does not exempt  
20 the holder from compliance with any state law or municipal  
22 ordinance governing the movement of mobile homes or storage  
24 trailers over the highways of this State and does not exempt the  
26 holder from required permits or certificates prior to moving such  
28 vehicles.

30 Fees for trailer transit licenses and plates are established in  
32 section 852.

34 9. Unavailability. The Secretary of State, if unable to  
36 furnish immediately a plate or marker, may issue a temporary  
38 certificate with temporary plates. The certificate must be  
40 carried and plates displayed in the same manner as regular  
42 certificates and plates.

44 10. Prohibition; records. A person issued temporary  
46 registration plates may not attach a plate to a vehicle that the  
48 person did not sell, lease or transfer and may not provide the  
50 plates to another person other than by attachment to a vehicle as  
52 authorized by this section. A person issued temporary  
54 registration plates by the Secretary of State shall maintain a  
56 written record of the use or disposal of every plate. The record  
58 must be available for inspection by the Secretary of State at the  
60 person's place of business. A person who fails to comply with  
62 this subsection commits a civil violation.

#### 64 §461. Disposition of registration plates

66 1. Property of State. Registration plates issued by the  
68 Secretary of State continue to be the property of the State.

70 2. Expiration upon transfer or assignment. When the owner  
72 of a vehicle transfers or assigns title or interest in a vehicle  
74 the registration expires.

76 3. Return of registration plate and registration  
78 certificate. When a certificate is suspended, revoked, canceled  
80 or has expired and the owner has no intention to renew or  
82 transfer within 6 months, the owner shall remove the registration

plates and forward them, along with the registration certificate, to the Secretary of State.

4. Reassignment of registration number. The registrant may request that plates and the registration number be assigned in the registrant's name to another vehicle.

5. Unauthorized taking of registration plate. A person commits a Class E crime if that person steals, takes or carries away, without permission or authority, a registration plate from another person entitled to possession of that plate.

#### §462. Unused registration plates

An owner that returns registration plates with an affidavit stating that those plates have never been used must be refunded the registration fee paid if:

1. Time limit. The plates are returned within 120 days of issue; and

2. Registration plate unused. The Secretary of State is satisfied that the plates have never been used.

#### §463. Loss of registration plates

1. Loss of registration plates. If a registration plate is lost or the number becomes mutilated or illegible, the owner or person in control of the vehicle shall immediately place a temporary substitute number plate bearing the registration number on the vehicle.

2. Conformity with registration plate required. A temporary plate must conform to the registration plate and be displayed as nearly as possible as a regular registration plate.

3. Report. Within 24 hours after loss or mutilation of registration plates, a person shall notify the Secretary of State and apply for new registration plates.

4. Reissue. If satisfied as to the truth of the facts stated in the application, the Secretary of State shall supply new registration plates on payment of a fee of \$5 for each plate.

5. One of a set. Whenever one of a set of registration plates is lost and a new set is issued, the remaining plate must be returned to the Secretary of State.

6. Registration plate lost in transit. If registration plates are lost in transit and the applicant certifies in an

affidavit that the plates have not been received, and that if they are received the applicant will return them, the Secretary of State after investigation may furnish the applicant with a 2nd set of plates without additional charge.

**7. Applicability.** This section does not apply to dealers and transporters.

#### **Article 4**

#### **Registration Provisions**

#### **§501. Fees for registration; motor vehicles**

The annual fees for the registration of motor vehicles must accompany the application for registration and are as follows.

**1. Automobiles; pick-up trucks.** The fee for an automobile or pick-up truck used for the conveyance of passengers or interchangeably for passengers or property is \$22.

An automobile used for the conveyance of passengers or property is a "combination" vehicle and may be issued a special plate with the word "combination" instead of "Vacationland." A passenger vehicle used under contract with the State, a municipality or a school district to transport students must be designated as "combination." A vehicle owned or operated by parents or legal guardians is exempt from this subsection.

Commercial plates may not be issued for or displayed on an automobile.

**2. Island vehicles.** An automobile operated exclusively on an island that has no roads maintained or supported by the State may be registered for a fee of \$2. The municipality may collect an additional \$4 fee to defray the cost of removing abandoned vehicles.

**3. Passenger vehicles for hire.** The fee for a passenger vehicle used for hire is double the fee provided in subsection 1. The Secretary of State may issue a 2nd registration for the same vehicle at no additional fee.

**4. Funeral coaches.** The fee for a private automobile, funeral coach or funeral hearse, used by a licensed practitioner of funeral services under Title 32, chapter 21, is the fee provided in subsection 1. The fee for a funeral coach or funeral hearse used for hire for any other purpose is the same as the fee provided in subsection 3.

2        5. School vehicles. The fee for a motor vehicle used only  
to transport school children to and from school is the same as  
4        the fee in subsection 1.

6        6. Buses. An owner or operator of interstate buses for  
hire used to transport passengers, operating a fleet of 2 or more  
8        buses under the authority of the Interstate Commerce Commission,  
shall pay fees for that number of buses of the owner or operator  
10       as the proportion that the mileage of all buses of the owner or  
operator operated in this State bears to the total mileage of all  
12       buses of the owner or operator operated both within and without  
the State in the preceding year.

14       7. Temporary registration permit. The Secretary of State  
may issue a temporary registration permit for the purpose of  
16       moving certain vehicles otherwise required to be registered as  
follows.  
18

20       A. A temporary registration permit is for one trip only,  
between the points of origin and destination and  
22       intermediate points set forth in the permit.

24       B. A temporary registration permit is for the transit of  
the vehicle only. The vehicle may not be used for the  
26       transportation of passengers or property, for compensation  
or otherwise, unless specifically authorized on the  
28       temporary registration permit. If the vehicle is a  
chartered bus that is not covered by a reciprocity agreement  
30       with the state or country of registration, the Secretary of  
State may authorize transportation of passengers.

32       C. The Secretary of State may not issue a temporary  
registration permit that is valid for longer than 15 days  
34       from the effective date of the registration.

36       D. The fee for the temporary registration permit is \$10.

38       E. The temporary registration permit must be carried in the  
vehicle at all times.  
40

42       F. A person who operates or moves a vehicle outside the  
routes specified in the temporary registration permit  
44       commits a civil infraction and may not be fined less than  
\$25 nor more than \$200.  
46

48       8. Special permit. The Secretary of State may issue, on  
application and the payment of a fee of \$2, a special  
registration permit authorizing the limited operation on the  
50       highway of self-propelled golf carts, lawn mowers, ATV's and

2 other similar vehicles with restrictions and limitations of use  
3 that minimize the danger to the operator. The following  
4 provisions apply to special registration permits.

5 A. A special registration permit is valid until March 1st  
6 of the next calendar year.

7 B. A driver's license is not required for operation under  
8 this subsection.

9 C. Vehicles registered under this subsection are exempt  
10 from the laws regulating the inspection of motor vehicles.

11 D. A person under the age of 15 years may not operate a  
12 vehicle under this subsection on a public way.

13 E. Operation of an ATV is limited to agricultural purposes  
14 in connection with a farm and to operation from or to the  
15 premises where kept, from or to a farm lot or between farm  
16 lots used for farm purposes by the ATV owner.

17 9. Attached vehicles. A deputy sheriff with a writ of  
18 attachment may move the attached motor vehicle to a place of  
19 storage without registration or registration permit as long as  
20 the county has insurance as required by chapter 13.

21 10. Off-highway vehicles. The Secretary of State may  
22 issue, on application and the payment of a fee of \$25, a special  
23 registration permit authorizing the limited operation on a way of  
24 trucks and truck tractors that are otherwise used exclusively for  
25 off-highway purposes. The following provisions apply to  
26 registration permits issued pursuant to this subsection.

27 A. A registration permit may not be granted unless the  
28 applicant presents a written certificate from the tax  
29 collector of the municipality from which the vehicle is  
30 being moved identifying the vehicle and stating that all  
31 personal property taxes applicable to the vehicle, including  
32 those for the current year, have been paid or that the  
33 vehicle is exempt from those taxes.

34 B. Highway use is limited to travel to and from garages for  
35 the purpose of obtaining repairs or maintenance or travel  
36 from one job site to another job site.

37 C. The registration permit may not authorize transporting  
38 property or passengers.

39 D. A registration permit is valid until March 1st of the  
40 next calendar year.

2 E. A vehicle issued a registration permit pursuant to this  
3 subsection is exempt from inspection requirements.

4 F. The registration permit must be in the vehicle when the  
5 vehicle is operated on the highway.

6  
7 11. International Registration Plan. The following  
8 provisions apply to the International Registration Plan:

9  
10 A. The Secretary of State shall issue, on application and  
11 payment of a \$5 fee, a single cab card for each vehicle.

12  
13 B. If the person in whose name a vehicle is registered  
14 fails to make timely payments of a fee or an installment,  
15 the Secretary of State may suspend without preliminary  
16 hearing the registration of the vehicle. If the vehicle has  
17 been registered as part of a fleet and there has been  
18 failure to make a payment, the Secretary of State may  
19 suspend registrations for all vehicles in the fleet.

20  
21 C. A vehicle is subject to a registration fee determined on  
22 a monthly prorated basis if the registration period is less  
23 than one year.

24  
25 D. On application of a person before entering this State  
26 and payment of a \$25 fee, the Secretary of State shall issue  
27 a 72-hour trip permit for an out-of-state vehicle eligible  
28 for apportioned registration, but not apportioned with this  
29 State. This permit allows interstate and intrastate  
30 operations.

31  
32 §502. Transfer and return of registration

33  
34 1. Transferring registration. A person who transfers the  
35 ownership or discontinues the use of a registered motor vehicle,  
36 trailer or semitrailer and applies for registration of another  
37 motor vehicle, trailer or semitrailer in the same registration  
38 year may use the same number plates on payment of a transfer fee  
39 of \$8, as long as the registration fee is the same as that of the  
40 former vehicle. If the fee for the vehicle to be registered is  
41 greater than the fee for the vehicle first registered, that  
42 person must also pay the difference. If application is made for  
43 a trailer with a gross weight of 2,000 pounds or less, the  
44 transfer fee is \$5.

45  
46 2. Return of registration. The certificate issued for the  
47 registration of the former vehicle must be returned to the  
48 Secretary of State showing that ownership has been transferred or  
49 use discontinued and that the registration has been canceled.  
50

2        3. Refunds; credits. No portion of a fee is refundable,  
but credits toward the registration of another vehicle may be  
4        given. On registration by an owner or owner's surviving spouse,  
a credit is allowed as follows.

6            A. For the first 8 months of a registration year, the full  
8            fee may be credited toward the registration of another  
          vehicle.

10           B. For the last 4 months of a registration year, an amount  
12           not to exceed 1/2 of the original fee may be credited toward  
          the registration of another vehicle.

14        **§503. Miscellaneous registration fees**

16           Fees for certain replacement plates, registration validation  
18           devices and new registration plates are as follows.

20           1. Replacements. Replacement registration plates are  
22           furnished to replace lost or mutilated plates or plates assigned  
          to the registrant that have not been expired for more than 8  
          months. The fee for each plate is \$5.

24           Replacement registration validation devices are furnished for 50¢  
26           each.

28           2. New issues. For each new registration plate issued  
30           pursuant to section 451, the Secretary of State shall collect a  
          fee of \$1 and the municipal agent shall collect another \$1 fee in  
          addition to any other registration fees.

32        **§504. Registration of commercial motor vehicles**

34           1. Truck or truck tractor. For a truck or truck tractor  
36           equipped with pneumatic tires, the following annual registration  
          fee schedule applies.

38           A. For gross weight from 0 to 6,000 pounds, the fee is \$22.

40           B. For gross weight from 6,001 to 9,000 pounds, the fee is  
42           \$28.

44           C. For gross weight from 9,001 to 12,000 pounds, the fee is  
          \$45.

46           D. For gross weight from 12,001 to 14,000 pounds, the fee  
48           is \$78.