

# MAINE STATE LEGISLATURE

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2 4. Violation. A person is guilty of a Class E crime if  
3 that person, while operating a vehicle in violation of this  
4 Title, fails or refuses upon request to give that person's  
5 correct name, address and date of birth to a law enforcement  
6 officer.

8 **§106. Enforcement of laws pertaining to dealers, transporters**  
9 **and automobile graveyards**

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

16 **§107. Officers authorized to service process or notice**

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

22 **§108. Service of process on nonresidents**

24 1. Acceptance of jurisdiction. The acceptance by a  
25 nonresident of the rights and privileges conferred by this Title  
26 as evidenced by the nonresident's or the nonresident's agent's  
27 operation of a motor vehicle on a public way in this State or of  
28 aircraft in this State is:

30 A. An appointment of the Secretary of State to be the  
31 nonresident's true and lawful attorney on whom may be served  
32 a process in an action or proceeding against that  
33 nonresident, growing out of an accident or collision in  
34 which that person may be involved during that operation; and

36 B. Evidence of agreement that the process against the  
37 nonresident that is so served is of the same legal force and  
38 validity as if served on the nonresident personally.

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

44 A. Notice of the service and a copy of the process are  
45 personally served on the defendant and the return showing  
46 that service is filed with the clerk of the court where the  
47 action is pending; or

48 B. Notice of the service and a copy of the process are sent  
50 by registered mail to the defendant and the defendant's

2 receipt for the registered mail and the plaintiff's  
3 affidavit of compliance are filed with the clerk of the  
4 court in which the action is pending.

5 3. Deceased defendant. If the defendant is deceased,  
6 service may be made in the same manner on a personal  
7 representative or, if there is no personal representative, on the  
8 public administrator in the county in which the action is  
9 pending. Notwithstanding other requirements for probate, when  
10 service is made on the public administrator, the administrator  
11 shall petition the Probate Court for probate of the defendant's  
12 estate.

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

16 5. Plaintiff's bond. The plaintiff shall file with the  
17 return of service a bond to the defendant, with 2 or more  
18 sureties approved by the judge or clerk of the court, or with a  
19 surety company authorized to do business in this State, as surety  
20 in the sum of \$100, conditioned that, if judgment is rendered  
21 against the plaintiff, as much of the penalty of the bond  
22 required to satisfy a judgment for costs awarded must be applied  
23 to the judgment. The attorney for the plaintiff is liable to the  
24 defendant for costs in the action for an amount not exceeding \$50  
25 until the bond is filed.

26 6. Fee taxed in costs to prevailing plaintiff. The fee of  
27 \$2, paid by the plaintiff to the Secretary of State, is taxed in  
28 the plaintiff's costs, if the plaintiff prevails in the action.

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

31 8. Application to a resident who becomes a nonresident.  
32 This section applies to a resident who becomes a nonresident  
33 prior to the time that an action or proceeding has been brought.

#### 34 §109. Reciprocity

35 1. Provisions not applicable to nonresidents. The  
36 provisions of this Title on registration of vehicles and  
37 operator's licenses do not apply to:

38 A. A nonresident owner or operator, if that person has  
39 complied with the provisions of the laws on registration and  
40 licensing of the jurisdiction of residence; and

2 B. A nonresident student enrolled in a university, college  
3 or school within this State as long as that student  
4 possesses a valid registration and license issued by the  
5 jurisdiction of legal residence.

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

8  
9 2. Formal agreements. The Secretary of State, after  
10 determining that like privileges are granted by a state or  
11 province, shall enter into a written agreement with that state or  
12 province setting forth the conditions under which residents of  
13 that jurisdiction engaged in interstate commerce operations in  
14 and through this State are exempt from the registration and  
15 licensing laws of this State.

16  
17 3. Limitation. A vehicle may not be operated commercially  
18 at a site within this State or used for the transportation of  
19 persons, merchandise or materials from one point in this State to  
20 another point in this State unless registered in this State or  
21 exempt from registration by a written reciprocity agreement as  
22 provided in this section, except that a nonresident-owned  
23 semitrailer drawn by a truck tractor registered in this State is  
24 permitted to transport merchandise in intrastate commerce.

25  
26 4. Weight. Nothing in this Title permits operation on a  
27 public way of a vehicle not registered in this State with weight  
28 that exceeds or equipment that does not meet that required of  
29 similar resident vehicles.

30  
31 5. Violation. A violation of this section is a Class E  
32 crime.

33  
34 **§110. Application for license and registration by person**  
35 **establishing residency**

36  
37 A person establishing residency in this State must apply for  
38 registration and a license in this State within 30 days of  
39 establishing residency.

40  
41 **§111. Hearings; fees of witnesses; summary process**

42  
43 In the administration of the laws relative to vehicles and  
44 to the operators and the operation thereof, the Secretary of  
45 State or a deputy may conduct hearings, subpoena witnesses,  
46 administer oaths, take testimony and order the production of  
47 books and papers, and for the purposes mentioned in this Title  
48 may issue all processes necessary for the performance of the  
49 Secretary of State's duties. The fees for travel and attendance  
50 of witnesses are the same as for witnesses before the Superior

2 Court and must be paid by the State out of vehicle registration  
4 fees upon certificates of the Secretary of State filed with the  
6 State Controller. The Superior Court, on the petition of the  
8 Secretary of State, may issue summary process to enforce the  
10 lawful orders of the Secretary of State in any matter. Hearings  
12 conducted by the Secretary of State must be as provided by Title  
14 5, chapter 375, subchapter IV.

16 **§112. Notice of hearing**

18 Notice of any hearing held by the Secretary of State or by  
20 the Secretary of State's authority under this Title must be  
22 consistent with Title 5, section 9052 and notify the licensee or  
24 registrant that the licensee or registrant may then and there  
26 appear, in person or through counsel, to show cause why that  
28 license or certificate of registration should not be suspended or  
30 revoked. Service of that notice is sufficient if sent by regular  
32 mail to the address given by the licensee or registrant at least  
34 10 days before the date set for hearing.

36 **§113. Computer transcripts as evidence**

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

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

50 A. A clerk or deputy clerk of any judicial division of the  
District Court or the violations bureau for records from a  
judicial division or 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 received  
by the Secretary of State from a court.

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. Except as otherwise prescribed in this Title, 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. Maintain offices. Maintain 13 full-time offices at convenient places to carry out duties related to applications for registration of and licenses for the operation of motor vehicles; and

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

**§152. Powers of Secretary of State**

The Secretary of State may:

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

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

A motor vehicle investigator may enforce section 254, chapters 5, 7, 9 and 11, chapter 19, subchapter II, chapter 23, subchapter III and those provisions of Title 17-A that relate to duties assigned under this Title with the powers throughout the State that a sheriff has in a county. Enforcement power does not include provisions under section 2054, subsection 2, paragraph D and does not include authority to make routine motor vehicle stops;

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

10  
11        4. Facsimile signature of Secretary of State. Use a  
12        facsimile signature, which has the same validity as the Secretary  
13        of State's written signature and is admissible in court;

14  
15        5. Assign new identification number. Assign a new  
16        identification number to a vehicle if it has none, or if the  
17        vehicle's identification number is destroyed or obliterated, or  
18        if the frame, chassis or, if the vehicle is a truck, the cab is  
19        changed, and shall issue a new certificate of title showing the  
20        new identification number upon surrender of the old certificate  
21        and completion of an application for title and payment of the  
22        fee; and

23        6. Other data. Require data necessary on forms,  
24        applications, certificates, licenses or other documents.

25        **§153. Rules**

26  
27        The Secretary of State may adopt, amend or repeal rules  
28        necessary to administer this Title, as provided in the Maine  
29        Administrative Procedure Act.

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

31  
32        1. Collection of fees. The Secretary of State shall  
33        collect all fees required for registering vehicles and licensing  
34        operators and all permit fees and transmit these fees to the  
35        Treasurer of State.

36  
37        2. Report. The Secretary of State, as required by the  
38        Governor, shall make a report of the fees received for vehicle  
39        registrations and issuances of licenses and from other sources,  
40        with appropriate recommendations.

41  
42        3. Collection costs. Whenever the payment of a fee results  
43        in a protest or is returned by the bank upon which it was drawn  
44        because of insufficient funds, closed account, no account or a  
45        similar reason, the Secretary of State shall charge a service  
46        collection fee of \$2 plus the cost of collection.

2 4. Recovery of fees or use taxes. Whenever the payment of  
4 a fee or use tax required to be collected by the Secretary of  
6 State results in a protest or is returned by the bank upon which  
8 it was drawn because of insufficient funds, closed account, no  
10 account or a similar reason, the Secretary of State may mail a  
12 notice of dishonor, as defined in Title 11, section 3-508, to the  
14 person liable, demanding payment and warning the person that if  
16 the amount due is not paid within 10 days after the mailing of  
18 the notice, suspension of the person's license and registration  
20 will result. If the person fails to pay the required amount  
22 within 10 days after the mailing of the notice, the Secretary of  
24 State may suspend all licenses, permits, certificates and  
26 registrations of the person liable for the fee, fees or tax.

16 5. Recovery of tax on vehicles. Upon receipt of  
18 notification of the State Tax Assessor under Title 36, sections  
20 1955-A or 1955-B, the Secretary of State shall mail a notice to  
22 the person liable for the tax, warning that if the amount of tax  
24 due is not paid within 10 days after the mailing of the notice,  
26 suspension of the registration issued for the vehicle in question  
28 will result. If the person fails to pay the required amount  
30 within 10 days after the mailing of the notice, the Secretary of  
32 State shall suspend the registration issued for the vehicle on  
34 which the tax remains unpaid.

26 **§155. Reciprocal taxes or fees**

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

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

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



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

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

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

10 Notwithstanding any law to the contrary, the Secretary of  
11 State may make agreements with the duly authorized  
12 representatives of the State of New Hampshire to provide that  
13 buses, taxicabs, trucks, truck tractors, trailers, semitrailers  
14 or double-bottoms owned by residents of that state and legally  
15 registered in that state may be operated in this State, including  
16 for purposes of intrastate commerce, within a zone not to exceed  
17 10 miles from the border with that state. The agreements must  
18 provide that a resident of this State, when using the public ways  
19 of that adjoining state, is entitled to receive substantially  
20 equivalent benefits and privileges.

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

24 Notwithstanding this Title, the Secretary of State, in  
25 concurrence with the Commissioner of Transportation, may enter  
26 into reciprocal agreements or plans with another jurisdiction  
27 providing for the registration of vehicles on an apportionment or  
28 allocation basis. In the exercise of this authority, the  
29 Secretary of State may enter into and become a member of the  
30 International Registration Plan. Registration of vehicles under  
31 the plan must be in accordance with chapter 5, subchapter I,  
32 article 5.

34 **SUBCHAPTER II**

36 **MUNICIPAL AGENTS AND RENEWAL AGENTS**

38 **§201. Municipal officials as agents**

40 1. Appointment of agents by Secretary of State; scope of  
41 authority. With the approval of the municipal officers, the  
42 Secretary of State may appoint a municipal tax collector, or  
43 other persons designated by a municipality, to collect excise  
44 taxes on vehicles and to receive applications for licenses,  
45 license renewals, registrations and renewals of registrations of  
46 motor vehicles, trailers and semitrailers. The Secretary of  
47 State may authorize a municipal agent to issue licenses,  
48 registrations and renewals of licenses and registrations or may  
49 limit the agent's authority to the issuance of renewals only.  
50

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

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

6                B. Issue registration renewals for all motor vehicles and  
7                trailers, except for those required to be registered  
8                directly through the Bureau of Motor Vehicles as designated  
9                by the Secretary of State; and

10               C. If authorized to issue registrations and renewals of  
11               registrations, issue:

12                        (1) Registrations for pickup trucks registered for  
13                        6,000 pounds or less gross vehicular weight,  
14                        automobiles, trailers, semitrailers and farm tractors;  
15                        and

16                        (2) Registrations for trucks of greater gross weight  
17                        than provided in subparagraph (1), after the agent has  
18                        satisfactorily participated in special training as  
19                        prescribed by the Secretary of State.

20        3. Service fees. Municipal agents appointed in accordance  
21        with subsection 1 may charge service fees for licenses,  
22        registrations and renewals of licenses and registrations as  
23        follows.

24                A. A municipal agent may charge an applicant a fee not to  
25                exceed \$3 over the required fee for each renewal of license  
26                or registration issued and a fee not to exceed \$4 over the  
27                required fee for each new license or registration issued.

28                B. In a municipality in which agents are authorized to  
29                issue licenses, registrations or renewals of licenses or  
30                registrations for applicants from another municipality or  
31                from an unorganized territory, the agent may charge those  
32                applicants \$1 in addition to the fees authorized by this  
33                subsection for each license, registration or renewal.

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

37                D. A municipal agent authorized to process permits and  
38                decals for vehicles with gross vehicle weight in excess of  
39                6,000 may charge a fee not to exceed \$1 over the required  
40                fee for each permit or decal issued.

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

6 F. A municipal agent may charge any applicant a fee not to  
8 exceed \$2 over and above the required operator's license fee  
for each renewal issued.

10 The municipality may retain all service fees authorized in this  
12 subsection.

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

18 5. Duration of appointment; revocation of appointment.  
20 Unless revoked, the appointment of an agent continues as long as  
the agent holds that office or employment. An appointment may be  
22 revoked:

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

26 B. For cause by the Secretary of State.

28 **§202. Appointment of agents for renewal of operator's licenses**  
30 **only**

32 The Secretary of State may appoint agents authorized solely  
34 to issue renewals of operator's licenses and who are stationed at  
convenient locations in the State. Agents may charge an  
36 applicant a fee not to exceed \$2 over the required operator's  
license fee for each renewal issued. The agent retains the  
additional \$2 fee and forwards all other fees to the Secretary of  
38 State.

40 Renewal agents appointed pursuant to this section are not  
authorized to issue registrations or initial operator's licenses.

42 **§203. Disposal of fees; certain towns**

44 Seventy-five percent of all fees received by the State from  
46 the inhabitants of the towns of Cranberry Isles, Frenchboro,  
Swan's Island, Isle au Haut, North Haven, Vinalhaven and  
48 Islesboro for the registration of motor vehicles must be spent in  
those towns, under the supervision of the Department of  
Transportation, on the roads in each town according to the

proportion the amount paid by its inhabitants bears to the amount paid by the inhabitants of all of these towns.

### SUBCHAPTER III

#### RECORDS

##### §251. Records

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

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

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

##### §252. Reports of records

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

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

##### §253. Confidentiality of nongovernment vehicle records

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

##### §254. 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.** A person commits a Class E crime if that person fails to register 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**

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

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

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

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

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

A permit may be issued under paragraphs A and B only when the previous registration on the vehicle has expired within 30 days. A permit issued under this subsection is valid for no more than 3 days including the date of issuance.

4. Duplicate registration, notification of change in location or status. Duplicate registrations are provided in accordance with section 1405. A person to whom a registration has been issued must notify the Secretary of State of a change in location or status in accordance with section 1407.

#### §352. Minors

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

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

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

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

#### §353. Members of Armed Forces

2 A registration issued by the Armed Forces of the United  
3 States in foreign countries for a vehicle owned by military  
4 personnel is valid for 45 days after the owner has returned to  
5 the United States.

6 Article 2

8 Certificates of Registration

10 §401. Application

12 1. Filing of application. Application for vehicle  
13 registration may be made by mail or otherwise to the Secretary of  
14 State.

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

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

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

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

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

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

44 §402. Insurance required prior to registration

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

2       2. Method of establishing evidence of insurance. A person  
establishes insurance by showing the vehicle insurance  
4       identification card as defined by section 1551, subsection 4, a  
letter from an insurance company or agent showing that the  
6       vehicle is covered by a liability insurance policy, an insurance  
binder or an insurance policy that has a summary document that  
8       describes the vehicle insured, the name of the insured, the  
amount of insurance, the type of insurance coverage and the  
10      period for which the vehicle is covered to either the municipal  
agent or the bureau.

12       3. Alternative methods of establishing evidence of  
insurance. An individual is considered to comply with subsection  
14      2 if the individual shows evidence of compliance with the  
provisions of section 1605, subsection 3, paragraph A, B or C.

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

20       A. Government vehicles as identified in section 517;

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

24       C. Vehicles registered as vehicles for hire; or

26       D. Trailers and semitrailers.

28       §403. Motor vehicle emission inspection requirement for vehicle  
30       registration

32       1. Requirement. The owner of a motor vehicle registered in  
any area designated by the Federal Government pursuant to 40 Code  
34      of Federal Regulations, Part 81 as nonattainment for ozone and  
classified as a moderate or a more severe nonattainment area must  
36      present a certificate of compliance or waiver, as defined by  
Title 38, section 2401, at the time of registration. A  
38      certificate of compliance or waiver is not required for motor  
vehicles exempted by Title 38, section 2402.

40       2. Suspension. If the owner of a motor vehicle subject to  
42      the requirement of subsection 1 fails to present a certificate of  
compliance or waiver, the Secretary of State shall suspend the  
44      registration certificate and plates for that motor vehicle. The  
suspension must continue until the owner of the motor vehicle  
46      presents a certificate of compliance or waiver to the Secretary  
of State or an authorized agent.

48       3. Penalty. The owner of a motor vehicle with a  
50      registration certificate and plates suspended pursuant to



subsection 2 may not permit that motor vehicle to be operated on a public way or parking area. A violation of this subsection is a traffic infraction for which a forfeiture must be assessed. If the model year of the motor vehicle is 1981 or later, the forfeiture must be \$450. If the model year of the motor vehicle is earlier than 1981, the forfeiture must be \$125.

**§404. 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. **Dismissal.** A person served with a Violation Summons and Complaint charging a violation of this section may have the complaint dismissed if that person shows satisfactory evidence that the vehicle was registered at the time of the alleged violation. The clerk of the District Court violations bureau must dismiss the complaint if, prior to the date required for filing an answer to the complaint, the person charged files with the bureau a copy of the Violation Summons and Complaint together with satisfactory evidence that the vehicle was registered at the time of the alleged violation. If a person files a timely answer of "not contested" to a Violation Summons and Complaint alleging a violation of this section and that person presents satisfactory evidence to the court at the time of trial showing that the vehicle was registered at the time of the alleged violation, the court must dismiss the complaint.

**§405. Expiration dates**

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.

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

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

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

4  
6 3. Early display of plates. A number plate or suitable  
device furnished for the next registration period may be  
8 displayed on the first day of the month in which the current  
registration expires.

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

14 **§406. Nontransferability of certificate**

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

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

24 A. The date of the transfer;

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

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

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

32 2. Issuance of new registration. On surrender of the  
34 registration, the Secretary of State may not issue a new  
36 registration unless the information required under sections 752  
and 2106 has been provided on the surrendered registration form.

38 **§407. Defaced or missing identification numbers**

40 1. Assignment of special number. When an engine, serial or  
vehicle identification number has been omitted, altered, removed  
42 or defaced, the Secretary of State shall assign and attach to the  
vehicle a special number and maintain a record of the number.

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

50 **§408. Vehicles reported stolen**

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

8        **§409. Collection of taxes**

10       1. Collection of tax. The Secretary of State shall act at  
11       the time and place of registration on behalf of the State Tax  
12       Assessor to collect the sales or use tax due under Title 36, Part  
13       3 for a vehicle or truck camper for which an original  
14       registration is required.

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

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

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

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

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

28                (1) Paid the amount of tax due; or

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

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

34       Retained fees must be transmitted to the Treasurer of State and  
35       credited to the Highway Fund.

36       Taxes collected must be transmitted to the Treasurer of State and  
37       credited to the General Fund.

38       4. Forwarding certificates. Certificates submitted  
39       pursuant to this section must be sent promptly to the State Tax  
40       Assessor.

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

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

10                   Article 3

12                   Registration Plates

14       §451. Issuance and form of registration plates

16       1. Authority to issue registration plates. The Secretary  
18       of State shall provide a new general issue of registration plates  
      periodically as determined by the Legislature. Each new general  
20       issue must be easily distinguishable by color from the preceding  
      general issue.

22       2. Furnishing registration plates. The Secretary of State  
24       shall furnish registration plates, without charge, with each  
      registration except to dealers, manufacturers and holders of  
      transporter registration plates.

26       3. Annual registration plates or devices. The Secretary of  
28       State shall issue new registration plates or a suitable device in  
      lieu of new registration plates each calendar year. The plate or  
30       device must clearly indicate the year or period for which it is  
      issued. The Secretary of State may issue permanent registration  
32       plates designed to provide for renewal by changing the expiration  
      date without issuing new registration plates. A device attached  
34       to the appropriate vehicle or registration plate is proper  
      registration for the period specified.

36       4. Registration plate design. Registration plates must be  
38       designed as follows.

40       A. Registration plates must bear the year of issue or the  
42       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.

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

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

2           D. A new registration plate must have:

4                   (1) A white background;

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

8                   (3) An illustration of a lobster distinctly lobster  
10                  red.

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

18           6. Plates to be manufactured at State Prison. The Secretary  
20           of State or the duly designated official in charge of vehicle  
22           registration shall purchase and cause to be installed at the  
24           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.

26           The Warden of the State Prison shall have charge of operations at  
28           the State Prison relative to the manufacture of all plates made  
30           for the State. The Warden of the State Prison, with the consent  
                  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.

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

36           §452. Manner of display

38           1. Position of registration plate. A registration plate  
40           must be displayed horizontally. Only one set of Maine  
42           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.

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

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

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

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

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

10       3. Proper display; clean and visible. Registration plates  
11       must always be properly displayed. The plates, including the  
12       numbers, letters and words, must always be plainly visible and  
13       legible.

14       **§453. Vanity registration plates**

15       1. Vanity registration plates. The Secretary of State may  
16       issue registration plates that contain letters or a combination  
17       of letters and numbers for automobiles, taxi cabs, limousines,  
18       pickup trucks, motorcycles, motor homes or trailers not to exceed  
19       2,000 pounds, whether semitrailers, 4-wheeled or camp trailers.  
20       The number of characters appearing on such a plate may not exceed  
21       7.

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

28       3. Duplicate plates. The Secretary of State may not issue  
29       duplicate vanity registration plates for trailers, until the  
30       registrant has already been issued an identical vanity  
31       registration plate for an automobile. The Secretary of State may  
32       not issue duplicate vanity registration plates for taxicabs or  
33       limousines that are issued to automobiles. The Secretary of  
34       State may not issue duplicate vanity plates in the same class of  
35       vehicles.

36       4. Radio plates. Vanity registration plates may be issued  
37       inscribed with official amateur radio call letters. Applications  
38       for radio plates must be accompanied by a notarized proof of  
39       ownership of a valid amateur radio station license issued by the  
40       Federal Communications Commission.

41       5. Facsimile plates. The Secretary of State may issue a  
42       facsimile plate for a 60-day period during production of the

semipermanent plate. The facsimile plate must be attached to the rear plate bracket.

**§454. Commemorative registration plates**

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

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

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

**§455. Environmental registration plates**

The Secretary of State shall issue Maine Environmental Trust Fund registration plates beginning April 1, 1994 in accordance with this section. Environmental registration plates are not required for registration of a motor vehicle but are to allow citizens to participate voluntarily in the Maine Environmental Trust Fund program. A citizen may apply for environmental registration plates and contribute to the Maine Environmental Trust Fund as provided in this section.

**1. Issuance of environmental registration plates.** The Secretary of State, upon receiving an application and evidence of payment of the excise tax required by Title 36, the registration fee required by this Title and the contribution to the Maine Environmental Trust Fund provided for in subsection 4, shall issue a registration certificate and a set of environmental registration plates to be used in lieu of regular registration plates. The Secretary of State may issue environmental registration plates to a vehicle in any registration class if the designated registration plate for that class does not preclude its use in conjunction with the environmental registration plate design.

**2. Plate design; optional environmental vanity plates.** The Secretary of State, the Commissioner of Conservation, the Commissioner of Environmental Protection and the Commissioner of Inland Fisheries and Wildlife in consultation with the joint

standing committee of the Legislature having jurisdiction over transportation matters shall determine the plate design.

The design must accommodate the use of numbers and letters as provided in section 453. Upon request and as provided by section 453, the Secretary of State shall issue environmental plates that are also vanity plates. Environmental vanity plates are issued in accordance with this section and section 453. The annual service fee of \$15 for vanity plates is credited to the Highway Fund.

**3. Temporary facsimile plate.** The Secretary of State may issue a facsimile plate for temporary use up to a 60-day period until the permanent plate is received. The facsimile plate must be attached to the rear plate bracket.

**4. Contribution to the Maine Environmental Trust Fund.** In addition to the regular motor vehicle registration fee prescribed by law for the particular class of vehicle registered, the annual contribution for environmental registration plates is \$20, which must be deposited with the Treasurer of State and credited to the Maine Environmental Trust Fund established in Title 12, section 7759.

**5. Reimbursement for production and issuance costs.** The Treasurer of State shall transfer annually from the Maine Environmental Trust Fund to the Secretary of State \$10 for each set of environmental registration plates issued or renewed. This transfer is to reimburse the Secretary of State for costs associated with production and issuance of the plates.

**§456. University of Maine System; special registration plates**

**1. University of Maine System plate.** The Secretary of State, upon receiving an application and evidence of payment of the excise tax required by Title 36, section 1482, the registration fee required by section 501 and the administrative fee and voluntary contribution provided for in subsection 2, shall issue a registration certificate and a set of University of Maine System registration plates to be used in lieu of regular registration plates. These plates must bear identification numbers and letters. The number of characters appearing on a plate may not exceed 7.

**2. Administrative fee and contribution to University of Maine System Scholarship Fund.** University of Maine System special registration plates are not required for registration of a motor vehicle. A person may contribute to the University of Maine System Scholarship Fund by applying for the special registration plates and submitting, in addition to the regular



motor vehicle registration fee, a sum of \$20 credited as follows:

A. Ten dollars to the University of Maine System Scholarship Fund established in Title 20-A, section 11631; and

B. Ten dollars to the Highway Fund for administrative and production costs.

3. Design. The Secretary of State shall determine a design for the special University of Maine System plates. If the design accommodates the use of numbers and letters as provided in section 453, the Secretary of State shall issue upon request University of Maine System plates that are also vanity plates. University of Maine System vanity plates are issued in accordance with the provisions of this section and section 453.

4. Not transferable. Special plates issued under this section are not transferable.

**§457. Antique vehicle registration plates**

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

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

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

A. Is over 25 years old;

B. Is registered as an antique vehicle; and

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

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

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

5 A. The age of the vehicle;

6 B. The equipment and its condition;

7 C. Permissible modifications; and

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

10 6. Application. An application for registration of a  
11 vehicle under this section must be accompanied by an affidavit  
12 that includes a statement of the age and intended use of the  
13 motor vehicle and that the vehicle is garaged or maintained in  
14 the State. A person registering a street rod must furnish  
15 verification that the vehicle is a qualified street rod.

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

19 **§458. Stock race cars**

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

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

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

26 **§459. Manufacturers, dealers and transporters**

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

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

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

**§460. State officials**

**1. State official registration plates authorized.** The Secretary of State, on payment of taxes required in section 409, subsection 5 and fees required in 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.

**§461. 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 8 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. 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.

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

Issuance of a trailer transit license and plate does not exempt the holder from compliance with any state law or municipal ordinance governing the movement of mobile homes or storage

trailers over the highways of this State and does not exempt the holder from required permits or certificates prior to moving such vehicles.

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

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

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

#### **§463. Disposition of registration plates**

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

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

**3. Return of registration plate and registration certificate.** When a registration certificate is suspended, revoked, canceled or has expired and the owner has no intention to renew or 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.

#### **§464. Unused registration plates**

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

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

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

12       **§465. Loss of registration plates**

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

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

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

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

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

36       6. Registration plate lost in transit. If registration  
38       plates are lost in transit and the applicant certifies in an  
      affidavit that the plates have not been received, and that if  
40       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.

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

46                    **Article 4**

48                    **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; pickup trucks. The fee for an automobile or pickup 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.

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

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



2        7. Temporary registration permit. The Secretary of State  
4        may issue a temporary registration permit for the purpose of  
6        moving certain vehicles otherwise required to be registered as  
8        follows.

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

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

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

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

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

44        F. A person who operates or moves a vehicle outside the  
46        routes specified in the temporary registration permit  
48        commits a traffic infraction and may not be fined less than  
50        \$25 nor more than \$200.

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  
      highway of self-propelled golf carts, lawn mowers, ATV's and  
      other similar vehicles with restrictions and limitations of use  
      that minimize the danger to the operator. The following  
      provisions apply to special registration permits.

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

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

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

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

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

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

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

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

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

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

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

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

42 F. The registration permit must be in the vehicle when the  
44 vehicle is operated on the highway.

46 **§502. Transfer and return of registration**

48 1. Transferring registration. A person who transfers the  
ownership or discontinues the use of a registered motor vehicle,  
50 trailer or semitrailer and applies for registration of another  
motor vehicle, trailer or semitrailer in the same registration

year may use the same number plates on payment of a transfer fee of \$8, as long as the registration fee is the same as that of the former vehicle. If the fee for the vehicle to be registered is greater than the fee for the vehicle first registered, that person must also pay the difference. If application is made for a truck camper or a trailer with a gross weight of 2,000 pounds or less, the transfer fee is \$5.

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

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

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

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

#### **§503. Miscellaneous registration fees**

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

**1. Replacements.** Replacement registration plates are 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.

Replacement registration validation devices for number plates or truck campers are furnished for 50¢ each.

**2. New issues.** For each new registration plate issued 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.

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

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

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

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

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

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

10       E. For gross weight from 14,001 to 16,000 pounds, the fee is \$102.

12       F. For gross weight from 16,001 to 18,000 pounds, the fee is \$127.

14       G. For gross weight from 18,001 to 20,000 pounds, the fee is \$158.

16       H. For gross weight from 20,001 to 23,000 pounds, the fee is \$185.

18       I. For gross weight from 23,001 to 26,000 pounds, the fee is \$217.

20       J. For gross weight from 26,001 to 28,000 pounds, the fee is \$264.

22       K. For gross weight from 28,001 to 32,000 pounds, the fee is \$305.

24       L. For gross weight from 32,001 to 34,000 pounds, the fee is \$339.

26       M. For gross weight from 34,001 to 38,000 pounds, the fee is \$376.

28       N. For gross weight from 38,001 to 40,000 pounds, the fee is \$400.

30       O. For gross weight from 40,001 to 42,000 pounds, the fee is \$423.

32       P. For gross weight from 42,001 to 45,000 pounds, the fee is \$447.

34       Q. For gross weight from 45,001 to 48,000 pounds, the fee is \$494.

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2 R. For gross weight from 48,001 to 51,000 pounds, the fee  
is \$530.

4 S. For gross weight from 51,001 to 54,000 pounds, the fee  
is \$565.

6 T. For gross weight from 54,001 to 55,000 pounds, the fee  
8 is \$577.

10 U. For gross weight from 55,001 to 60,000 pounds, the fee  
12 is \$637.

14 V. For gross weight from 60,001 to 65,000 pounds, the fee  
is \$696.

16 W. For gross weight from 65,001 to 69,000 pounds, the fee  
18 is \$759.

20 X. For gross weight from 69,001 to 72,000 pounds, the fee  
is \$794.

22 Y. For gross weight from 72,001 to 75,000 pounds, the fee  
24 is \$818.

26 Z. For gross weight from 75,001 to 78,000 pounds, the fee  
is \$854.

28 AA. For gross weight from 78,001 to 80,000 pounds, the fee  
30 is \$874.

32 BB. For gross weight from 80,001 to 90,000 pounds, the fee  
is \$979.

34 2. Credit for certain commercial vehicles. If a commercial  
36 vehicle registered for a gross weight of 23,001 pounds or more is  
operated only in the truck tractor-semitrailer configuration, a  
38 credit of \$40 is allowed for the original annual registration  
fee. The owner of the vehicle must be issued a truck tractor  
40 registration plate which must be displayed on its front.

42 3. On ways adjoining premises. A registration or license  
is not required for the use of a truck, trailer or tractor on  
44 that part of a way adjoining the premises of the vehicle's owner.

46 4. Federal heavy vehicle use tax; proof of payment  
required. Except as provided by 26 Code of Federal Regulations,  
48 Section 41.6001-2(b)(3), a registration certificate may not be  
issued for a motor vehicle subject to the use tax imposed by the  
United States Internal Revenue Code of 1954, Section 4481, until

2 the applicant has presented proof of payment as prescribed by the  
3 Secretary of the United States Treasury.

4 The Secretary of State shall keep records and may issue evidence  
5 to comply with 26 Code of Federal Regulations, Part 41, revised  
6 as of May 23, 1985, and the United States Internal Revenue Code  
7 of 1954, Sections 4481, 4482 and 4483.

8 Pursuant to rule, the Secretary of State may certify that a  
9 vehicle qualifies for exemptions under 26 Code of Federal  
10 Regulations, Section 41.4483-3(g) or Section 41.4483-6(b),  
11 revised as of May 23, 1985.

12 5. Truck tractor and semitrailer. In computing fees for a  
13 combination of truck tractor and semitrailer, the vehicle to be  
14 registered for gross weight is the truck tractor and the rate is  
15 the same as for a truck of similar gross vehicle weight.

16 **§505. Farm trucks**

17 1. Definition. For purposes of this section, "farm truck"  
18 means a truck equipped with axles other than dolly axles under  
19 section 1902, subsection 4, or a farm truck towing a trailer or  
20 semitrailer when that truck is used primarily for transportation  
21 of agricultural commodities, supplies or equipment for a farm  
22 owned, operated or occupied by the registrant. "Farm truck" does  
23 not include a truck used for the retail delivery of milk or used  
24 on a substantially daily delivery schedule on established routes.

25 2. Annual registration fee. For a farm truck, the following  
26 annual registration fee schedule applies.

27 A. For gross weight from 0 to 6,000 pounds, the fee is \$18.

28 B. For gross weight from 6,001 to 9,000 pounds, the fee is  
29 \$21.

30 C. For gross weight from 9,001 to 11,000 pounds, the fee is  
31 \$24.

32 D. For gross weight from 11,001 to 14,000 pounds, the fee  
33 is \$36.

34 E. For gross weight from 14,001 to 16,000 pounds, the fee  
35 is \$47.

36 F. For gross weight from 16,001 to 18,000 pounds, the fee  
37 is \$69.

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2 G. For gross weight from 18,001 to 20,000 pounds, the fee  
is \$81.

4 H. For gross weight from 20,001 to 23,000 pounds, the fee  
is \$98.

6 I. For gross weight from 23,001 to 26,000 pounds, the fee  
8 is \$116.

10 J. For gross weight from 26,001 to 29,000 pounds, the fee  
12 is \$143.

14 K. For gross weight from 29,001 to 32,000 pounds, the fee  
is \$163.

16 L. For gross weight from 32,001 to 35,000 pounds, the fee  
18 is \$239.

20 M. For gross weight from 35,001 to 38,000 pounds, the fee  
is \$262.

22 N. For gross weight from 38,001 to 42,000 pounds, the fee  
24 is \$285.

26 O. For gross weight from 42,001 to 46,000 pounds, the fee  
is \$308.

28 P. For gross weight from 46,001 to 50,000 pounds, the fee  
30 is \$331.

32 Q. For gross weight from 50,001 to 54,000 pounds, the fee  
is \$354.

34 3. Maximum weight. The maximum registered weight of a farm  
36 truck is 54,000 pounds. The fine for exceeding the registered  
38 gross weight of a farm truck is the difference between the fee  
for a farm truck and a commercially registered truck or truck  
tractor within the category of the actual weight at the time of  
40 the violation.

42 4. Special registration plates. The Secretary of State  
shall issue registration plates to distinguish a farm truck from  
44 a commercial vehicle. A farm truck may be driven with that  
registration only if the vehicle is used primarily for the  
46 transportation of agricultural products for a farm owned,  
operated or occupied by the registrant and may not be used for  
48 the transportation of firewood, unless that transportation is  
incidental to other farm operations.

2        5. Violation. A person fraudulently obtaining or using a  
4        farm truck registration for a purpose other than authorized by  
      this section commits a traffic infraction with a penalty of not  
      less than \$100 nor more than \$500.

6        6. Additional fee; tire type. The fee for registering a  
8        farm truck equipped with 2 or more solid tires is 33 1/3% more  
      than the fee required for a vehicle equipped with pneumatic tires.

10       7. Prorated fee; transportation of owner's agricultural  
12       produce. For a farm truck, 1/2 the registration fee must be  
      charged during the last 6 months of a registration year.

14       8. Temporary registered class weight increase. Farm trucks  
16       registered under this section may receive a temporary registered  
18       class weight increase by paying a percentage of the difference  
20       between the amount paid for farm truck registration and the  
      annual fee for the desired gross weight in accordance with the  
      permit table contained in section 507.

22       **§506. Registration fee for motor homes**

24       The annual fee for registration of motor homes is the same  
      as for farm trucks.

26       The Secretary of State may select and issue a special  
28       distinguishing letter, mark or design for registration plates  
      issued to motor homes.

30       **§507. Temporary registered gross weight increase**

32       When a truck is properly base registered in this State, the  
34       registrant may increase the registered gross vehicle weight of  
36       the truck upon application and payment of the proper fee.  
38       Temporary registered gross weight increases may be issued by the  
40       Bureau of Motor Vehicles, the Bureau of the State Police or by  
      any agent appointed by the Secretary of State who has been  
      appointed for that specific purpose. Agents must be either  
      municipal tax collectors or town or city managers.

42       Temporary registered gross weight increases must be issued  
44       for at least 2 months and may not exceed 8 months. A temporary  
      registered gross weight increase may not extend beyond the  
      expiration of the regular registration.

46       The fee for a temporary registered gross weight increase is  
48       the difference between the annual fee for the original  
50       registration and the annual fee for the desired temporary  
      registered gross weight multiplied by the percentage in the  
      following table:



2	<u>2 months</u>	<u>30%</u>
	<u>3 months</u>	<u>40%</u>
4	<u>4 months</u>	<u>50%</u>
	<u>5 months</u>	<u>60%</u>
6	<u>6 months</u>	<u>70%</u>
	<u>7 months</u>	<u>75%</u>
8	<u>8 months</u>	<u>80%</u>

10 Vehicles base registered in this State pursuant to the  
12 International Registration Plan may be issued a temporary  
14 registered gross weight increase pursuant to this section. The  
fee is not apportionable, and the temporary registered gross  
weight increase is valid only in this State or in a jurisdiction  
not a member of the International Registration Plan.

16 The Secretary of State is authorized to issue temporary  
18 registered gross weight increases by facsimile means. The  
20 Secretary of State may make such provisions as the Secretary of  
State considers necessary to ensure the integrity of facsimile  
documents.

22 **§508. Truck campers**

24 Upon receiving an application and the payment of a fee of  
26 \$10, the Secretary of State may issue an annual registration  
permit for truck campers.

28 A resident person, firm or corporation, or owner as defined  
30 in section 101, subsection 50, who fails to register a truck  
camper commits a traffic infraction with a minimum fine of \$100.  
32 A registration permit is not required for the 14-day period  
immediately following the purchase of a truck camper from a  
34 person who is engaged in the business of selling truck campers.

36 **§509. Tractors**

38 1. Tractors. The annual fee for the registration of a  
40 tractor must accompany an application for registration and is as  
follows.

42 Tractors equipped with:

44 A. Pneumatic tires, 25¢ per horsepower and 25¢ per 100  
pounds of weight;

46 B. Solid rubber tires, 25¢ per horsepower and 50¢ per 100  
48 pounds of weight; and

2 C. Iron, steel or other hard tires, 25¢ per horsepower and  
3 80¢ per 100 pounds of weight.

4 The minimum fee is \$2.

6 2. Tractors used for farming. The fee for a tractor used  
7 for agricultural purposes or not customarily used on public ways  
8 is \$2, except as provided in section 510, subsection 1.

10 3. Old homemade tractors used for farming. The fee for a  
11 homemade tractor used for agricultural purposes with motor and  
12 chassis at least 10 years old that has a body capacity of not  
13 more than 1 1/2 cubic yards and that is used exclusively for  
14 agricultural purposes is \$2. Such a vehicle may not be operated  
15 on the highway more than 10 miles from the place where the  
16 vehicle is customarily kept.

18 **§510. Exemption from registration**

20 1. Tractors used for farming. Registration or a license is  
21 not required for a tractor or trailer used solely for farming  
22 purposes when operated to or from:

24 A. The premises where kept;

26 B. A farm lot and between farm lots, when used for farm  
27 purposes by the owner; or

28 C. A filling station or garage for fuel or repairs.

30 2. Skidder. Registration is not required for a log skidder  
31 used solely for logging purposes when operated to or from:

34 A. The premises where kept and a woodlot, or between  
35 woodlots used for logging purposes by the owner of the log  
36 skidder or the owner's employee; or

38 B. A filling station or garage for fuel or repairs.

40 Chains attached to the tires or wheels of the skidder must be  
41 removed prior to operation on a paved way.

42 3. Tractors used for logging. Registration is not required  
43 for a converted motor vehicle used as a tractor when used solely  
44 for logging purposes when operated to or from:

46 A. The premises where the tractor is kept;

48 B. A woodlot and between woodlots used for logging purposes  
49 by the owner; or

2 C. A filling station or garage for fuel or repairs.

4 4. Privilege to operate a farm tractor suspended. If a  
6 person's license has been revoked or suspended, that person may  
8 not operate a farm tractor on a public way except as provided in  
10 subsection 1, paragraphs A and B until the Secretary of State  
12 reinstates that person's license or issues to that person another  
14 license.

12 §511. Trailers and semitrailers

14 1. Registration fees; trailers and semitrailers. The  
16 following annual registration fee applies to trailers,  
18 semitrailers and camp trailers.

18 A. The fee is \$8.50 for a:

20 (1) Trailer or semitrailer not exceeding 2,000 pounds  
22 gross vehicle weight;

24 (2) Boat trailer not exceeding 4,000 pounds gross  
26 vehicle weight;

26 (3) Mobile home; or

28 (4) Farm trailer, whether semitrailer or 4-wheeled  
30 type, equipped with pneumatic tires, used for the sole  
32 purpose of transporting a load:

32 (a) Of the owner's farm products, crops,  
34 fertilizers or farm tools and utensils;

34 (b) Of no more than 4 tons; and

36 (c) For no more than 20 miles one way.

38 B. The fee is \$16 for a camp trailer exceeding 2,000 pounds.

40 C. The fee is \$16 for a semitrailer exceeding 2,000 pounds.

42 D. Except as provided in paragraph A, a trailer exceeding  
44 2,000 pounds must be registered on the basis of gross weight  
46 in accordance with the schedule under section 504.

46 Fees paid under this section and section 512 are administrative  
48 fees and nonapportionable. The Secretary of State may collect  
50 apportionable fees for trailers and semitrailers pursuant to the  
International Registration Plan.

Except for camp trailers, trailer and semitrailer registrations under this section may be issued for 2 years for a fee twice that of the annual registration fee.

**2. Exemption for circus and carnival trailers.** Circus and carnival trailers or semitrailers unloaded from railroad cars at the nearest railroad station or railroad siding and hauled to and from circus or carnival grounds are exempt from fees for registration and licensing.

**§512. Semipermanent registration plates for trailers and semitrailers**

The Secretary of State may establish an 8-year and 12-year semipermanent registration plate program for trailers and semitrailers and a 20-year semipermanent registration plate program for semitrailers and under these programs may issue registration plates of a design determined by the Secretary of State. A person registering a semitrailer in accordance with this section may register a semitrailer for fewer than 5 years only to maintain a common expiration date for a fleet.

**1. Eight-year and 12-year semipermanent registration plate program for trailers and semitrailers.** Any person may apply on a form supplied by the Secretary of State for a semipermanent registration plate.

A. To receive a registration plate, a person must be a Maine resident, have a place of business and an address in Maine, or have a designated agent or representative resident in Maine.

The Secretary of State shall require the appointment of an agent for a nonresident applicant receiving semitrailer or trailer registration plates under this section. The agent must be a Maine resident. Legal process served upon an agent is deemed service on the registrant.

A corporation organized under the laws of this State is deemed a resident of this State and a foreign corporation is deemed a resident of this State if it is registered to do business in this State.

B. The fee for each semitrailer is \$10 and the fee is \$5 for each trailer not more than 2,000 pounds gross vehicle weight. The fee for a trailer registered for more than 2,000 pounds is the same as the annual registration fee in section 511.

2 A pro rata amount of the fee must be refunded when a plate  
3 is returned within 120 days of the effective date of that  
4 year's registration with an affidavit stating that the  
5 registration has never been used and the Secretary of State  
6 is satisfied that the plate has never been used.

7 C. With the agreement of the Commissioner of  
8 Transportation, the Secretary of State may adopt rules for  
9 the payment of the fees in annual or biennial installments.  
10 In adopting those rules, the Secretary of State shall  
11 consider the financial effect of the registration fee on the  
12 registrants, the benefit or burden of installment payment on  
13 state revenues and the difficulty of administering this  
14 subsection.

15 D. Notwithstanding section 401, an application for  
16 registration must be signed by the owner or lessee applying  
17 for registration, the person authorized by the applicant or  
18 the applicant's designated agent.

19 E. On approval of an application, the Secretary of State  
20 shall:

21 (1) Record the registration of the semitrailer or  
22 trailer described in the application and assign a  
23 distinguishing number or other mark;

24 (2) Issue a certificate of registration that contains  
25 the name and address of the owner or lessee or the  
26 address of its designated agent; and

27 (3) Furnish one semipermanent registration plate for  
28 each trailer or semitrailer.

29 F. Semipermanent registration plates expire at the end of  
30 the semipermanent plate program or, in the case of a new  
31 semitrailer or new trailer, at the end of the 12th  
32 registration year following the year of issuance. The  
33 registration plates issued for the next program may be  
34 displayed on and after December 1st of the preceding  
35 calendar year. A registration plate issued after the  
36 commencement of the plate program may be displayed either  
37 beginning on the date of purchase or on the February 1st  
38 following issuance, depending upon the number of paid  
39 registration years.

40 2. Twenty-year semipermanent semitrailer registration plate  
41 program. Corporations applying for a minimum of 1,000  
42 registrations in a registration year may apply for semipermanent  
43 registrations in a registration year may apply for semipermanent

semitrailer registration plates which may be issued for periods of up to 20 years.

A. The fee for each registration is \$10 per year or portion of a year. The Secretary of State shall establish a procedure to bill each registrant using semipermanent semitrailer registrations once annually except the billing at the time of purchase of a full 20-year registration must be for a 3-year period. Fees for the first 3 years are nonrefundable. A fee for a registration of less than 20 years must be prorated accordingly. If any registrant fails to remit the payment in a timely manner, the Secretary of State shall suspend all registrations issued to that registrant pursuant to this subsection.

B. A registrant must be a resident corporation or maintain a resident agent authorized to serve as a legal representative. A resident corporation may retain a resident agent. For the purposes of this subsection, a corporation organized under the laws of this State is a resident of this State and a foreign corporation is a resident of this State if it has registered to conduct business in this State pursuant to Title 13-A, chapter 12.

C. The Secretary of State may authorize resident agents to receive unassigned registration plates and registration certificates on behalf of registrants. Resident agents are responsible for all registration plates and registration certificates in their possession pursuant to this subsection.

D. Registration plates issued pursuant to this subsection are valid and may be displayed upon issue for renewal purposes only. Registrations issued pursuant to this subsection remain active unless canceled or reported lost.

E. All registration certificates issued pursuant to this subsection must be signed by the owner, lessee, corporate officer, resident agent or other authorized person.

#### **§513. Special mobile equipment**

**1. Definition.** For the purpose of this section, "special mobile equipment" does not include a vehicle that may be used for the conveyance of property except:

A. Conveying hand tools or parts used in connection with the operation of that equipment; or

B. Road construction or maintenance machinery transporting earth on that portion of the highway under construction.

2        2. Annual registration fee. The annual registration fee  
4        for special mobile equipment that is permanently mounted on a  
         traction unit or motor chassis is as follows.

6        A. Class A special mobile equipment must be operated under  
8        an annual registration. The fee for a Class A special  
         mobile equipment registration permit is as follows.

10        (1) For gross weight from 0 to 54,000 pounds, the fee  
12        is as in section 505, subsection 2.

14        (2) For gross weight from 54,001 to 60,000 pounds, the  
         fee is \$384.

16        (3) For gross weight from 60,001 to 65,000 pounds, the  
18        fee is \$414.

20        (4) For gross weight from 65,001 to 70,000 pounds, the  
         fee is \$444.

22        (5) For gross weight from 70,001 to 75,000 pounds, the  
24        fee is \$474.

26        (6) For gross weight from 75,001 to 80,000 pounds, the  
         fee is \$504.

28        (7) For gross weight from 80,001 to 90,000 pounds, the  
30        fee is \$564.

32        B. The fee for Class B special mobile equipment is \$17.

34        C. For Class B special motor equipment, if the gross weight  
36        is in excess of 20,000 pounds, the registrant must obtain a  
         permit as required by section 2382, subsection 5.

38        D. Special mobile equipment may be operated unloaded  
40        between construction projects and to or from the place where  
         the vehicle is customarily kept, if a permit is first  
         obtained under section 2382, subsection 5.

42        **§514. Evasion of registration fees and excise taxes**

44        A person required to register a vehicle in this State who  
46        instead registers the vehicle in another state or province is  
48        guilty of evasion of registration fees and excise taxes.  
         Violation of this section is a traffic infraction punishable by a  
         fine of not less than \$500 nor more than \$1,000.

The Secretary of State shall notify the State Tax Assessor upon receipt of the court abstract so that the State Tax Assessor may determine whether further investigation is necessary.

**§515. Motorcycles and parking control vehicles**

The annual fee for registering:

1. Motorcycle. A motorcycle or a parking control vehicle is \$18; and

2. Moped. A moped is \$6.

**§516. Stock car**

The annual fee for registering a stock race car is \$5.

**§517. Government vehicles**

1. Exemption. The following vehicles are exempt from registration fees, but must be registered and are subject to inspection requirements:

A. Vehicles owned by the State;

B. Vehicles owned by a county;

C. Vehicles owned or used by a municipality;

D. Vehicles owned or used by an organized volunteer fire department;

E. Vehicles owned by a school district;

F. Vehicles owned by a water district;

G. Vehicles loaned by a dealer for use in driver education in a public school or private secondary school;

H. Vehicles loaned by a dealer to a municipality for use by a law enforcement agency for educational purposes;

I. Vehicles loaned to the University of Maine System and the Maine Technical College System and used in organized programs;

J. Vehicles owned by the University of Maine System;

K. School buses operated under a lease of at least 30 days to a municipality or school district; and



2 L. Vehicles used in volunteer ambulance or rescue squad  
3 services.

4  
5 2. Plates. The Secretary of State shall issue distinctive  
6 plates that expire at the end of a 6-year period for state plates  
7 and a 10-year period for municipal plates within the  
8 semipermanent plate program. Vehicles owned by the State may  
9 display a marker or insignia, approved by the Secretary of State,  
10 plainly designating them as owned by the State.

11  
12 3. Exception. If an exempt vehicle is leased or rented for  
13 commercial purposes, registration fees must be paid for that  
14 vehicle.

15  
16 4. Unmarked law enforcement vehicles. An unmarked motor  
17 vehicle used primarily for law enforcement purposes, when  
18 authorized by the Secretary of State and upon approval from the  
19 appropriate requesting authority, is exempt from displaying a  
20 special registration plate. Records for all unmarked vehicle  
21 registrations are confidential.

22  
23 Upon receipt of a written request by an appropriate criminal  
24 justice official showing cause that it is in the best interest of  
25 public safety, the Secretary of State may determine that records  
26 of a nongovernment vehicle may be held confidential for a  
27 specific period of time, which may not exceed the expiration of  
28 the current registration.

29  
30 5. Municipal police vehicles. A vehicle owned by a  
31 municipality and used by a full-time law enforcement department  
32 may be issued special police registration plates at the request  
33 of the chief law enforcement official of that municipality.

34  
35 6. Federal government vehicles. The Secretary of State may  
36 issue registration certificates and plates without fee to federal  
37 or other governmental agencies. Vehicles owned by the Federal  
38 Government used under lease to a Maine resident must be  
39 registered in this State.

40  
41 **§518. Emergency vehicles**

42  
43 Emergency vehicles registered in another jurisdiction and  
44 operating in this State as a result of a declared emergency are  
45 exempt from further registration requirements.

46  
47 **§519. Registration plates for firefighters**

48  
49 1. Authority to issue special registration plate. Upon  
50 application by an active firefighter whose status is certified by

2 the fire chief, assistant fire chief or acting fire chief, the  
3 Secretary of State shall issue a special firefighter registration  
4 plate.

5 2. Registration plate design. The Secretary of State may  
6 design a numerical registration plate with the letters "FF" as a  
7 suffix.

8 3. Use of registration plate. The registration plate may  
9 be used only on one motor vehicle with a registered gross weight  
10 of not more than 9,000 pounds.

11 4. Fee for registration plate. An additional one-time fee  
12 of \$5 is charged for a set of firefighter registration plates.

13 5. Recall of registration plate. If a firefighter ceases  
14 to be an active firefighter, the fire chief shall notify the  
15 Secretary of State and the Secretary of State shall recall the  
16 registration plate.

17 **§520. Special equipment**

18 1. Registration fee. The annual registration fee for  
19 special equipment, based on gross weight, is \$7 for equipment  
20 weighing one to 2,000 pounds; \$12 for 2,001 to 5,000 pounds; and  
21 \$17 for over 5,000 pounds.

22 2. Exception. Registration is not required when special  
23 equipment is used solely:

24 A. On that part of a public way adjoining the premises of  
25 the owner; or

26 B. For farm purposes, and public way use is limited to  
27 travel from or to:

28 (1) The premises where the equipment is kept;

29 (2) A farm lot and between farm lots used for farm  
30 purposes by the owner; or

31 (3) A filling station or garage for fuel or repairs.

32 **§521. Registration; handicapped people**

33 1. Definition. "Handicapped person" means a person who is  
34 permanently confined to a wheelchair or restricted to the  
35 permanent use of crutches or braces or otherwise handicapped in  
36 such a way that the person's mobility is seriously restricted.

2       2. Special registration plates. A handicapped person, or  
4       the spouse, parent or legal guardian of a handicapped person, who  
6       has registered a motor vehicle as the motor vehicle of principal  
      use by the handicapped person may be issued a set of special  
      registration plates. The registration plates must bear the  
      International Handicap Symbol.

8       3. Permanent placards. A permanent placard may also be  
10       issued. The following provisions apply to placards.

12           A. The placard must be affixed so that the information on  
14           it is clearly legible from the outside of the motor  
          vehicle. The placard must contain the name of the  
          handicapped person.

16           B. The Secretary of State shall establish a system of color  
18           coding placards that facilitates the determination of their  
          validity.

20           C. The Secretary of State may issue a placard to a  
22           handicapped person who does not have a duly registered motor  
24           vehicle. That placard may be displayed on a motor vehicle  
26           properly registered in this State only when the handicapped  
          person is a passenger or when the driver of the vehicle is  
          waiting for a service to be rendered to the handicapped  
          person.

28       4. Motorcycle. A handicapped person who has registered a  
30       motorcycle may be issued a designating plate as a registration  
      plate.

32       5. Application. An application must be accompanied by the  
34       certificate of a physician as to that person's physical  
36       disability. A person whom a physician certifies to have a  
      permanent handicap is not required to submit an annual  
      certificate.

38       6. Temporary placards. A temporary placard may be issued  
40       to a person who is temporarily handicapped. The following  
      provisions apply to temporary placards.

42           A. An application for a temporary placard must be  
44           accompanied by the certificate of a physician attesting to  
46           that person's physical disability. The certificate must  
          bear the person's name and an assigned expiration date. The  
          bureau must give priority consideration to these requests.

48           B. Temporary placards must show the expiration date  
50           specified by the physician.

2 C. During its term, a temporary placard has the effect of a  
handicapped plate.

4 D. Any temporary placard issued under this section may be  
6 displayed in any motor vehicle that the handicapped person  
8 to whom the placard was provided is operating or in which  
10 the handicapped person is a passenger, is being transported  
or is waiting for a service to be rendered. The temporary  
placard must be affixed so that the information on the  
placard is clearly legible from outside the motor vehicle.

12 7. Registration and placard fees. The annual fee is the  
14 same as the regular registration fee for the vehicle. The fee  
for each permanent or temporary placard is \$1.

16 8. Violation. A person other than a handicapped person or  
18 the spouse of a handicapped person using a set of special  
20 designating plates or a placard commits a traffic infraction and  
is subject to a \$100 penalty. The special designating plates or  
placard may be suspended for improper use.

22 **§522. Hearing-impaired people**

24 1. Issuance of placard. The Secretary of State may issue a  
26 placard for hearing-impaired people to a person who is hearing  
28 impaired on receipt of a form from the Division of Deafness,  
30 Bureau of Rehabilitation, certified by a physician or an  
audiologist stating that the applicant is hearing impaired and  
can not hear or understand normal speech.

32 2. Manner of display. The placard must be displayed in a  
34 conspicuous location in the vehicle as near to the operator as  
possible without obstructing the view of the operator.

36 3. Fee. The fee for a placard issued pursuant to this  
section is \$1.

38 **§523. Certain veterans**

40 1. Amputee or blind veterans. On application to the  
42 Secretary of State for registration of any motor vehicle of any  
44 amputee or blind veteran who has received an automobile from the  
46 United States Government under authority of 38 United States  
48 Code, Sections 3901, et seq. or any amputee or blind veteran  
receiving compensation from the Veterans Administration or any  
branch of the United States Armed Forces for service-connected  
disability who has a specially designed motor vehicle, that  
veteran is entitled to have that automobile duly registered and a  
registration certificate delivered to the veteran without the  
50 requirement of the payment of any fee.

2 Any veteran who has lost both legs or the use of both legs and  
4 who has registered a motor vehicle without the payment of a fee  
6 as provided in this section upon certification by the Veterans  
8 Administration or appropriate branch of the United States Armed  
Forces must be issued special designating plates. Those  
designating plates must be issued by the Secretary of State and  
must bear the words "Disabled Veteran."

10 2. Disabled veterans; special free license plates. The  
12 Secretary of State on application and upon evidence of payment of  
14 the excise tax required by Title 36, section 1482, shall issue a  
16 registration certificate and set of special designating plates to  
18 be used in lieu of regular registration plates to any 100%  
20 disabled veteran when that application is accompanied by  
22 certification from the United States Veterans Administration or  
24 any branch of the United States Armed Forces as to the veteran's  
disability and receipt of 100% service-connected benefits and  
that the veteran is permanently confined to a wheelchair or  
restricted to the use of crutches or braces or otherwise  
handicapped in such a way that mobility is seriously restricted.  
A handicap placard is issued in addition to the disabled veteran  
registration plate at no fee.

26 These special designating plates must bear the words "Disabled  
28 Veteran," which indicate that the vehicle is owned by a disabled  
veteran.

30 3. Special veterans registration plates. The Secretary of  
32 State, on application and upon evidence of payment of the excise  
34 tax required by Title 36, section 1482, the registration fee  
36 required by section 501 and a one-time additional fee of \$5,  
38 shall issue a registration certificate and a set of special  
40 veterans registration plates to be used in lieu of regular  
registration plates to any person who has served in the United  
States Armed Forces and who has been honorably discharged. If a  
veteran is the primary driver of 2 vehicles, the Secretary of  
State may issue in accordance with this section a set of special  
veterans registration plates for each vehicle.

42 Each application must be accompanied by the applicant's Armed  
44 Forces Report of Transfer or Discharge, DD Form 214, or  
46 certification from the United States Veterans Administration or  
the appropriate branch of the United States Armed Forces  
verifying the applicant's military service and honorable  
discharge.

All surplus revenue collected for issuance of the special registration plates is retained by the Secretary of State to maintain and support this program.

**§524. Other special veterans registration plates**

**1. United States Medal of Honor recipients; special license plates.** The Secretary of State, on application and upon evidence of payment of the excise tax required by Title 36, section 1482, shall issue a registration certificate and set of special designating plates, to be used in lieu of regular registration plates, to any Maine resident who has been awarded the Medal of Honor by the Congress of the United States when the application is accompanied by a copy of the military orders awarding the Medal of Honor.

These special designating plates must be of a design as determined by the Secretary of State.

**2. Former prisoners of war; special license plates.** The Secretary of State, on application and upon evidence of payment of the excise tax required by Title 36, section 1482, shall issue a registration certificate and set of special designating plates to be used in lieu of regular registration plates to any person who served in the United States Armed Forces and who was a prisoner of war at any time during tenure of service, or the surviving spouse of a former prisoner of war who is deceased, when that application is accompanied by a copy of the appropriate military form certifying that the person is a former prisoner of war. This special license plate is issued specifically to former prisoners of war and their spouses and the privilege of using the special plate is transferable only on the death of the former prisoner of war to the former prisoner's spouse. Upon the death of the former prisoner of war, the surviving spouse may retain and display the special license plate. Upon remarriage, the surviving spouse may not use the special license plate on a motor vehicle, but may retain it as a keepsake. Upon the death of the surviving spouse, the family may retain the special license plate, but not use it on a motor vehicle.

These special designating plates must be of a design as determined by the Secretary of State that is unique and not duplicated by any other design.

**3. Pearl Harbor survivors; special license plates.** The Secretary of State, on application and upon evidence of payment of the excise tax required by Title 36, section 1482, shall issue a registration certificate and set of special designating plates to be used in lieu of regular registration plates to any person who served in the United States Armed Forces and who was

stationed at Pearl Harbor, Oahu, Hawaii during the attack by Japanese forces on December 7, 1941, when that application is accompanied by appropriate military certification verifying the applicant's service at Pearl Harbor during the attack. This special license plate is issued specifically to Pearl Harbor survivors and the privilege of using the special plate is not transferable.

These special designating plates must be of a design as determined by the Secretary of State.

**§525. Fuel tax identification decals**

**1. Fuel use reporting account.** A person operating a vehicle using fuel other than gasoline must establish an account for fuel use reporting if that vehicle:

A. Is registered for a gross vehicle weight in excess of 26,000 pounds; or

B. Is designed to carry 20 or more passengers.

**2. Exceptions.** A person operating a vehicle on a public way, subject to Title 36, chapter 457, 459 or 463-A, must obtain a fuel use identification decal for that vehicle, except for:

A. A vehicle owned and operated by government agencies;

B. A vehicle bearing dealer registration plates;

C. A recreational vehicle; or

D. An authorized emergency vehicle registered in another jurisdiction and operating in response to a declared emergency.

**3. Interstate fleets.** Interstate bus and one-way rental vehicle operators must obtain fuel use identification decals on the same prorated basis as is used to determine fuel used and vehicles registered within the State.

A. The number of buses that the state mileage factor represents of the entire fleet mileage is required to display the fuel use identification decal or a certified statement issued by the Secretary of State that the appropriate fee has been paid.

B. The number of one-way rental vehicles that this registration factor represents of the entire one-way rental

2 fleet is required to display the fuel use identification  
3 decal.

4 4. Exception. A farm vehicle or farm truck subject to  
5 limited inspection under section 1752, subsections 2 and 4 is not  
6 required to have a fuel use identification decal.

8 5. Fee. The decal fee for each vehicle is \$5.

10 6. Issuance; display; expiration. The Secretary of State  
11 shall issue identification decals and shall specify the location  
12 on the exterior of a vehicle to which a decal must be affixed  
13 permanently. A decal must be visible and legible.

14 A. A fuel use identification decal expires on December 31st.

16 B. A cab card, issued by the Secretary of State, must be  
17 carried in the vehicle at all times.

20 C. A person transferring ownership of a vehicle bearing a  
21 valid fuel use identification decal must disfigure the decal.

22 D. A person acquiring a vehicle with an unexpired fuel use  
23 identification decal may not operate that vehicle without a  
24 valid trip permit or a fuel use identification decal issued  
25 to that person.

28 7. Trip permits. In lieu of fuel tax licensing and  
29 reporting, the Secretary of State may issue a trip permit that  
30 authorizes for a period not to exceed 3 consecutive days a  
31 specific vehicle to be operated without a fuel use identification  
32 decal. The permit must accompany the vehicle at all times. The  
33 fee for a permit is \$50.

34 8. Enforcement. A state police officer or any member of  
35 the Department of Public Safety designated by the Commissioner of  
36 Public Safety may enforce this section.

38 A person in violation of the requirements for reporting fuel use  
39 taxes under Title 36 may be required to fully comply before being  
40 allowed to proceed.

42 9. Violation. A violation of this section is a Class E  
43 crime, except that a person commits a Class D crime if that  
44 person displays, causes or permits to be displayed a false decal  
45 or permit or a decal or permit issued to another person.

48 An owner or operator stopped for violating this section and  
49 against whom enforcement action has been taken does not commit a  
50 subsequent violation of this section involving the same vehicle



until after the close of business on the next business day following the date of the violation.

Notwithstanding Title 17-A, a person convicted of violating this section is subject to a forfeiture of at least \$250, which may not be suspended.

**10. Suspension.** On certification by the State Tax Assessor to the Secretary of State that a person is in violation of Title 36, chapter 457, 459 or 463-A, the Secretary of State shall suspend all fuel use identification decals issued to that person. The Secretary of State shall promptly notify the Department of Public Safety of a suspension, revocation or reinstatement.

Until the State Tax Assessor certifies to the Secretary of State that a person is in compliance, a person who has had decals revoked may not operate a vehicle requiring a decal. To have the right to operate reinstated, a person must pay a fee of \$25 to the Secretary of State.

**11. Cooperation.** The State Tax Assessor, the Department of Public Safety and the Secretary of State shall cooperate in the issuance of decals, licenses and permits, enforcement of this section and to ensure that timely information is readily available to all enforcement personnel of the status of those in noncompliance with the fuel use tax laws, intrastate and interstate for-hire operating authority permit requirements and motor vehicle registration laws.

**12. Funds.** All fees, fines and forfeitures accrue to the Highway Fund.

## Article 5

### International Registration Plan

#### §531. Application of the International Registration Plan; apportioned registrations

The Secretary of State shall implement the International Registration Plan, referred to in this article as the "plan," in accordance with this section.

**1. Registration year.** Fleets must be apportioned under the 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.

**2. Application of plan.** The plan agreement prevails if in conflict with other laws or rules regarding registration of vehicles.

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

**4. Registration transition.** The registration of motor vehicles that are to be registered under the plan may 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.

**5. 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 outside the State to points in the State.

**§532. Vehicles registered pursuant to the plan**

Notwithstanding any other provision of this Title, the following provisions apply to vehicles required to be registered pursuant to the plan.

**1. Cab cards.** For each vehicle base registered in this State under the plan, there is a fee of \$5 for each original cab card or replacement cab card.

**2. Temporary registration.** The Secretary of State may issue a temporary registration certificate for a vehicle for which an application for registration has been made. Temporary registrations may be issued for periods not to exceed 45 days. Only one temporary registration may be issued per vehicle per year.

**3. Trip permits.** The Secretary of State may issue 72-hour trip permits for vehicles required to be registered in the plan that have not been apportioned with this State. The fee for each trip permit is \$25 per vehicle. Trip permits provide all the privileges of the plan.

**4. Display of registration plate.** Vehicles registered in the plan for the first time may be operated without displaying a registration plate if the vehicle has been issued a valid temporary registration by the base jurisdiction.

2        5. Facsimile credentials. The Secretary of State may issue  
4        facsimile credentials identifying specific vehicles for  
6        registration purposes. Temporary facsimile credentials issued by  
      another jurisdiction pursuant to the plan may be accepted as  
      proof that a vehicle is legally registered.

8        6. Unladen weight permits. The Secretary of State may  
10       issue unladen weight permits for motor vehicles based in this  
12       State or last registered in this State and otherwise required to  
14       be registered in the plan. An unladen weight permit allows a  
16       motor vehicle to be operated without a load in a plan  
      jurisdiction without an apportioned registration. The fee for an  
      unladen weight permit is \$25. The permit is valid for 30 days.  
      The Secretary of State may require any information that the  
      Secretary of State considers necessary.

18       7. Refunds. The Secretary of State may issue a refund of  
20       registration fees paid for operating in this State when the  
22       Secretary of State determines that a registrant was assessed too  
24       great a registration fee. The Secretary of State may not refund  
      a registration fee collected for another jurisdiction, but may  
      assist a motor carrier based in this State in obtaining refunds  
      from other member jurisdictions. The Secretary of State is not  
      required to refund an amount of less than \$5.

26       8. Presentation of credentials. Upon request of any law  
28       enforcement officer, an operator of a motor vehicle registered  
30       pursuant to the plan must present temporary or permanent  
      credentials for inspection.

32       9. Penalty. Notwithstanding any other provisions of this  
34       Title, failure to comply with the registration requirements of  
36       the plan is a traffic infraction. The minimum fine for this  
      violation is \$500. The Secretary of State shall notify the  
      registrant's base jurisdiction of the violation. Presenting  
      altered credentials is a Class E crime.

## SUBCHAPTER II

### OPERATING AUTHORITY

#### §551. Multistate agreement authority

42       1. Authorization. The Secretary of State, acting with the  
44       concurrence of the Commissioner of Transportation and the  
46       Commissioner of Public Safety, may enter into a multistate  
48       agreement for the administration of this subchapter.

50       2. Purpose. It is the purpose of this section to:

2        A. Promote and encourage the fullest and most efficient use  
4        of the highway system by providing for a single point of  
6        contact for the administration of states' operating  
8        authority requirements;

10       B. Provide for a uniform set of rules among participating  
12       states;

14       C. Enable participating states to act cooperatively in the  
16       collection of fees and the enforcement of insurance  
18       requirements; and

20       D. Establish and maintain the concept of one administrating  
22       state for each permittee based on the rules established  
24       under a multistate agreement.

26       3. Principle. The Legislature, in authorizing the  
28       Secretary of State to enter into a multistate agreement,  
30       recognizes that the concept of one administrating state should  
32       promote the more efficient use of the highway system while  
34       protecting the travelling public. The Legislature further  
36       recognizes that a multistate agreement should reduce the  
38       administrative burden for the motor carrier industry by limiting  
40       the number of contacts necessary when a motor carrier operates in  
42       interstate commerce.

44       4. Authorization. The Secretary of State may enter into a  
46       multistate agreement for the administration of this subchapter  
48       consistent with the purposes and principles of this section. The  
50       Secretary of State may collect and distribute fees for other  
52       participating jurisdictions and receive fees from those  
54       jurisdictions collected on behalf of this State.

56       5. Rules. The Secretary of State, with the concurrence of  
58       the Commissioner of Transportation and the Commissioner of Public  
60       Safety, may make rules to implement a multistate agreement  
62       entered into under this section.

64       **§552. Operating authority license required**

66       1. License required. A person transporting freight,  
68       merchandise, household goods or passengers by motor vehicle for  
70       hire on public ways between points within this State, or points  
72       within and without the State, must obtain an operating authority  
74       license.

76       2. Fee. The initial application fee for an operating  
78       authority license is \$25. For a passenger carrier, the annual  
80       renewal fee is \$15.

2       3. Transfer. A license may not be transferred except, if  
4       the holder incorporates, the holder may transfer a license to the  
6       corporation upon the payment of a transfer fee and the filing of  
      written notice of intent to transfer with the Secretary of State.

8       4. Effect. A license is not a termination, restriction in  
10      scope or suspension of a prior intrastate certificate of public  
      convenience and necessity as defined in 49 United States Code,  
      Section 306(6).

12      5. Passenger vehicles. A motor vehicle licensed to  
14      transport passengers for hire is not required to obtain a  
      separate license as a freight and merchandise carrier.

16      6. One permit. Only one interstate or intrastate license  
18      is required.

20      7. Deemed to hold permit. Notwithstanding any other  
22      provision of this section, any person, firm or corporation  
24      transporting freight, merchandise, household goods or passengers  
26      by motor vehicle for hire in this State, on the effective date of  
      this Act, pursuant to a certificate, permit or a license issued  
      by the Public Utilities Commission or the Department of  
      Transportation, as the case may be, is deemed to hold an  
      operating permit as required by this section.

28      §553. Identification device

30      1. Identification device required. Unless the primary  
32      purpose is to transport passengers in the motor vehicle for hire,  
34      a motor vehicle for which a license is required under this  
      subchapter must display an identification device.

36      2. Fee. The annual fee for the device is \$8 for each motor  
      vehicle. The fee for each transfer of that device is \$2.

38      3. Permit. The Secretary of State may refuse to furnish  
40      identification for a motor vehicle not registered in the name of  
      the holder of a license.

42      4. Temporary authority. The Secretary of State may issue  
44      temporary authority for transportation for hire pending issuance  
46      of a device. The temporary authority may not exceed that already  
      granted by the United States Interstate Commerce Commission or  
      the Secretary of State. The cost of the temporary authority must  
      be paid by the requesting carrier.

48      §554. Lapse of license  
50

If the holder of the license fails to obtain an identification device within one year of obtaining a license or fails to renew an identification device for one year, the license lapses.

**§555. Bureau of State Police; enforcement**

**1. Rulemaking authority.** The Bureau of State Police, in this section referred to as "the bureau," may, in accordance with the Maine Administrative Procedure Act, modify or decline to adopt any of the federal regulations or amendments referenced in this section, adopt rules to ensure proper enforcement of this subchapter and to promote the safety of the operation of motor carriers over the highways. This authority includes the right to make rules related to the length of duty of drivers.

**2. Adoption of federal regulations.** The bureau may adopt rules to incorporate by reference federal regulations in 49 Code of Federal Regulations, Parts 40, 390, 391, 392, 393, 395 and 396, as amended, and may adopt amendments to those federal regulations. The following provisions apply to the adoption of federal regulations under this section.

**A. The Maine Administrative Procedure Act does not apply to the adoption by reference of federal regulations under this subsection.**

**B. A rule adopted under this subsection must contain a brief description of the substance of the federal regulation or amendment and instructions for obtaining a copy or a certified copy of that federal regulation or amendment from the appropriate federal agency.**

**C. For every rule adopted under this subsection:**

**(1) The bureau shall file with the Secretary of State:**

**(a) A certified copy of the rule;**

**(b) A published copy of the federal regulation or amendment as printed in the Federal Register; and**

**(c) Annually, a published copy of the updated volume of the Code of Federal Regulations containing the federal regulation; and**

**(2) The bureau shall supply, without cost or at actual cost, copies of each rule to a person who has filed within the past year a written request to be supplied with copies of rules, and to any other person on**

request. The bureau shall also make available for inspection at no charge, and for copying at actual cost, a current published copy of the referenced federal regulations.

D. The Secretary of State shall publish, pursuant to Title 5, section 8053, subsection 5, a notice containing the following information:

(1) A statement that the rule has been adopted and its effective date;

(2) A brief description of the substance of the rule and the referenced federal regulation or amendment; and

(3) The addresses at which copies of the rule and the federal regulation or amendment may be obtained;

E. The Secretary of State shall maintain and make available at the Secretary of State's office for inspection at no charge, and for copying or purchase at actual cost, current copies of these rules and include them within the compilations subject to Title 5, section 8056, subsection 3, paragraphs A-1 and B. The Secretary of State shall also make available for inspection at no charge and for copying at actual cost a current published copy of the referenced federal regulations and amendments; and

F. A rule adopted under this section may not take effect until at least 5 days after filing with the Secretary of State, except that, if the bureau finds that immediate adoption of the rule is necessary to avoid an immediate threat to public health, safety or general welfare, the bureau may adopt the rule as an emergency rule in accordance with Title 5, section 8054, and that rule takes effect immediately.

2. Agreement. The bureau may make cooperative agreements with the Interstate Commerce Commission and the United States Department of Transportation to enforce the laws and regulations of the United States and this State concerning highway transportation.

3. Precedence of rules. For vehicles to which this chapter applies, if a conflict exists between these safety rules adopted pursuant to this section and other laws requiring safety equipment, rules adopted pursuant to this section control.

4. Enforcement. The Secretary of State upon request of the bureau may refuse to reissue an identification device for a

2 willful or continued violation of this chapter or a regulation of  
3 the United States Department of Transportation. Enforcement is  
4 as follows.

5 A. The bureau may file a complaint in the Administrative  
6 Court seeking revocation or suspension of an operating  
7 permit.

8 B. Notwithstanding Title 5, section 10051, the Secretary of  
9 State may suspend a license for lack of sufficient insurance.

10 A suspension continues until the Secretary of State is  
11 satisfied that the carrier has obtained adequate insurance.

12 Notice and an opportunity for hearing are as provided the  
13 Maine Administrative Procedure Act.

14 C. A law enforcement officer must investigate an alleged  
15 violation of this subchapter or a rule adopted by the bureau  
16 or by the United States Department of Transportation,  
17 prosecute violators and aid in the enforcement of the  
18 provisions of this subchapter.

19 **§556. Exemptions**

20 A motor vehicle is exempt from this subchapter, except  
21 sections 555, 558 and 560, as follows:

22 1. Exclusive use. A vehicle engaged exclusively in:

23 A. The transportation of freight or merchandise of the  
24 owner in the course of a primary business;

25 B. The transportation of the United States mail;

26 C. The transportation during the harvesting season, within  
27 100 highway miles, of fresh fruits and fresh vegetables or  
28 products of vining and cutting plants from farms to  
29 processing plants or freezing plants, places of storage or  
30 places of shipment;

31 D. The hauling of wood, pulpwood, logs, sawed lumber, wood  
32 chips, bark, hogged fuel or sawdust within 100 highway miles  
33 from the woodlot or forest area where cut, sawed or chipped;

34 E. The hauling of sawlogs and pulpwood harvested on lands  
35 owned by the State beyond the 100-mile limitation if, for  
36 lands administered by the Department of Conservation, the  
37 Commissioner of Conservation consents or, for lands  
38 administered by the Baxter State Park Authority, the



2 authority consents to the transport. Consent must be given  
3 to avoid severe economic hardship or disruption of land  
4 management plans;

5 F. The hauling, within 100 highway miles, of lumber horses,  
6 crew, equipment and supplies to or from a woodlot or forest  
7 area;

8 G. The transportation of livestock, including race horses,  
9 for exhibition purposes, to and from agricultural fairs,  
10 race tracks and other exhibits;

11 H. The hauling, within 100 highway miles, of milk and cream  
12 to receiving stations;

13 I. The transportation of Christmas trees, wreaths and  
14 greens;

15 J. The transportation, within 100 highway miles of the  
16 carrier's regular place of business, of disabled, collision  
17 damaged, wrecked or repossessed motor vehicles;

18 K. The transportation of refuse, garbage and trash;

19 L. The transportation of sand, gravel, loam, rocks, crushed  
20 rock, hot top, cold top or bituminous mixes;

21 M. The transportation of buildings, houses and similar  
22 permanent structures being relocated, but not including  
23 mobile offices and mobile homes; and

24 N. The transportation of newspapers and newspaper inserts;

25 2. Single municipality. A vehicle used within 15 highway  
26 miles of the limits of a municipality in which the vehicle is  
27 registered or in which the owner maintains an established place  
28 of business when the property is received or delivered there.

29 Property originating or terminating beyond the 15-mile limit may  
30 only be delivered to or received from a carrier operating under  
31 a permit issued by the Secretary of State, a railway, railway  
32 express or water common carrier.

33 A carrier may deliver and pick up with an exempt motor vehicle,  
34 in a municipality in which the carrier has a terminal, freight  
35 and merchandise to be transported through territory for which a  
36 permit is required;

2 3. Government. A vehicle engaged, directly or through a  
4 contractor, exclusively in construction or maintenance work for  
6 the Federal Government, the State, a county or a municipality;

8 4. Agricultural cooperatives. A vehicle of an agricultural  
10 cooperative association transporting property exclusively for its  
12 members on a nonprofit basis, or of an independent contractor  
14 transporting property exclusively for the association;

16 5. Farm. A vehicle of an independent contractor while  
18 engaged exclusively in the transportation of:

20 A. Seed, feed, fertilizer and livestock for an owner or  
22 operator of a farm directly from the place of purchase to  
24 the farm; or

26 B. Agricultural products for an owner or operator of a  
28 farm, directly from the farm on which the products were  
30 grown to a place of storage, processing or shipment within  
32 100 highway miles; and

34 6. Passenger vehicles. While transporting passengers as  
36 follows:

38 A. The operation of a motor vehicle under contract with the  
40 State, a municipality or a school district used in  
42 transporting students;

44 B. Motor vehicles having a capacity of not more than 6  
46 passengers operated over irregular routes and without a  
48 fixed schedule;

50 C. Motor vehicles owned or operated by or on behalf of  
hotels and used exclusively for the transportation of  
patrons between hotels and public transportation;

D. Motor vehicles owned or operated by or on behalf of  
growers, processors and manufacturers of fruit, vegetable or  
fish products and used in the transportation of workers  
between their homes and places of employment; and

E. Motor carriers transporting passengers that receive  
state, municipal or federal subsidies are required to submit  
their operating name and list of equipment to the bureau and  
are subject to the rules of the bureau pertaining to safety  
promulgated under section 555. For the purpose of this  
section, the term "subsidies" includes assistance that is  
provided by the State Government, municipal government or  
Federal Government that is used for purposes of planning to  
offset operating losses or to acquire capital equipment.

2 "Cooperative use transportation" means the collective use of  
4 privately owned vehicles by 2 or more people where the providing  
6 of transportation is not the primary business of the owner or  
8 driver of the vehicle, or both, but is incidental to their  
10 livelihood. Cooperative use includes, but is not limited to,  
12 shared driving, shared expense car pools, station wagon pools or  
14 van pools, employer-owned or leased vehicles, including buses  
16 that are operated for convenience of the employees, commuter  
18 services organized and arranged by employee cooperatives, labor  
20 unions, credit unions and neighborhood groups that are operated  
22 for the convenience of their members and vehicles operated under  
24 the auspices of government-sponsored commuter matching services  
and brokerage programs and individuals or groups providing  
nonprofit matching and other brokerage type services.

18 "For-profit brokerage and matching services" means that the  
20 provider of the service neither sets the rates for the service,  
22 provides backup transportation, passes upon the qualifications of  
24 the drivers of their vehicles, establishes the routes nor  
collects the fees paid for the service. The business of matching  
drivers with passengers and the rendering of technical assistance  
in support of cooperative use transportation is exempt from rules  
under this chapter.

26 "For-profit car pooling and van pooling" means the business of  
28 organizing and operating a car pooling or van pooling system. In  
30 this context, "car pools and van pools" means any vehicle used in  
32 a continuing form of prearranged commuter transportation by a  
34 relatively fixed group of 15 persons or fewer for travel between  
36 their places of residence and their places of employment. The  
38 operation of for-profit car pools and van pools must be  
40 incidental to the livelihood or employment of the owner or  
42 operators. The business of organizing and operating a car  
pooling or van pooling system, including the selection and  
approval of cars, vans and drivers, the fixing and collection of  
fees, the establishment of routes and the provision of backup  
transportation, is exempt from rules under this chapter, except  
for sections 555, 558 and 560, provided that the owner's name,  
the list of equipment and proof of adequate insurance coverage,  
as determined by the Secretary of State, is filed with the  
Secretary of State prior to commencing operation.

44 This section applies to a nonresident owner or operator to  
46 the extent that the jurisdiction of residence grants the same or  
similar privileges as identified by the Secretary of State.

48 If a foreign jurisdiction requires a permit or charges  
residents of this State a fee for transportation exempted under

this section, this section's exemptions do not apply to owners or operators resident in that jurisdiction.

If a foreign jurisdiction prohibits the transportation of wood, pulpwood or logs from that jurisdiction to this State, or requires a citizen of this State to establish citizenship, a residence or place of business or to register a business in that jurisdiction in order to transport wood, pulpwood or logs from that jurisdiction to this State, similar provisions must apply to residents of that jurisdiction who transport wood, pulpwood or logs from this State to that jurisdiction. This paragraph does not apply to the sale of sawlogs and pulpwood.

**§557. Municipal authority**

This subchapter does not restrict the authority of a municipality to enact ordinances to regulate and control the routing, parking, speed or safety of operation of motor vehicles; to exercise general police power over its public ways; or to require compliance with certain conditions before a motor vehicle is operated within that municipality.

**§558. Violation of provisions of this subchapter**

1. Violation. A person commits a Class E crime if that person violates or knowingly permits a violation of this subchapter or a rule adopted pursuant to this subchapter.

2. Notice of failure to appear or noncompliance with orders. If a person after being ordered to appear to answer a violation fails to appear or after appearing fails to comply with an order issued pursuant to this subchapter, the court shall notify the Secretary of State.

3. Suspension of operating authority license and registrations. After receiving notice pursuant to subsection 2, the Secretary of State shall suspend the person's operating authority license, all registration certificates and plates and the privilege to operate a motor vehicle in this State. The suspension must remain in effect until the person appears in court and complies with a court order.

**§559. Agents for service of process**

1. Appointment of agent. A holder of a license issued under this subchapter shall file with the Secretary of State, in writing, an appointment of a resident of this State to be its representative on whom all lawful processes may be served, and who may be required to appear in court on behalf of the carrier as if the carrier were in court.

2        2. Assent. The written assent of the resident  
4        representative must be filed with the Secretary of State and is  
      valid until revoked.

6        3. Failure to file. If a carrier fails to file an  
8        appointment of a resident representative, the Secretary of State  
      may not issue a license until the carrier files that appointment.

10        **§560. Certificate of Chief of State Police; Secretary of State**

12        The certificate of the Chief of the State Police must be  
14        received in any court of law in this State as prima facie  
16        evidence of the making or issuing by the Bureau of State Police  
18        of any rule authorized by this chapter. The certificate of the  
20        Secretary of State or the Secretary of State's deputy, under seal  
      of the State, must be received in any court of law in this State  
      or in any proceeding pursuant to this chapter as prima facie  
      evidence of the issuance, suspension, revocation or restoration  
      of any driver's license, or the issuance, suspension, annulment  
      or restoration of any motor vehicle.

22        **§561. Transportation Safety Fund**

24        1. Fund established. Fees and fines authorized by this  
26        subchapter must be deposited with the Treasurer of State in a  
28        separate account to be known as the Transportation Safety Fund  
      otherwise known in this section as the "fund."

30        2. Legislative approval of budget. Expenditures from the  
32        fund are subject to legislative approval in the same manner as  
      allocations from the Highway Fund.

34        3. Use of funds. Subject to the Civil Service Law, the fund  
36        may be used to hire employees and to defray other costs as  
      follows.

38        A. There must be allocated to the Department of Public  
40        Safety for the State Police no more than \$2,600,000 in  
42        fiscal year 1993-94 and \$2,600,000 in fiscal year 1994-95  
      for duties imposed by this chapter and Title 35-A and for  
      related activities.

44        B. There must be allocated to the Department of the  
46        Secretary of State for the Bureau of Motor Vehicles no more  
      than \$660,000 annually for enforcement of commercial driver  
      license law.

48        C. Any balance in excess of that required for paragraph A  
50        may be allocated in the same manner and for the same

2 purposes as money in the Highway Fund, but with special  
3 emphasis on matters related to transportation safety. An  
4 allocation of this balance must be identified as to source.

5 4. Unexpended funds. Funds not expended at the end of a  
6 fiscal year do not lapse, but are carried forward.

8  
9 CHAPTER 7

10 TITLE TO VEHICLES

11 SUBCHAPTER I

12 GENERAL PROVISIONS

13 §601. Short title; construction

14 This chapter may be cited as the "Maine Motor Vehicle  
15 Certificate of Title and Antitheft Act."

16 This chapter must be construed to effectuate its general  
17 purpose and to make it uniform with similar laws of other states.

18 §602. Definitions

19 As used in this chapter, unless the context otherwise  
20 indicates, the following terms have the following meanings.

21 1. Certificate of origin. "Certificate of origin" means  
22 the original written instrument or document required to be  
23 executed and delivered by the manufacturer or an importer to the  
24 manufacturer's or importer's agent or dealer or a person  
25 purchasing directly from the manufacturer or importer certifying  
26 the origin of the vehicle.

27 2. Component part. "Component part" means one of the  
28 following parts of a vehicle:

29 A. Engine or motor;

30 B. Transmission;

31 C. Chassis, frame or equivalent part;

32 D. Door;

33 E. Hood;

34 F. Tailgate, deck lid or hatchback;

2           G. Quarter panel or fender;

4           H. Front fork or crankcase of a motorcycle; or

6           I. Cargo bed, transfer case or sleeper of a truck.

8           3. Dealer. "Dealer" means a person engaged in the business  
10 of buying, selling, exchanging or offering to negotiate,  
negotiating or advertising the sale of, a vehicle and who has:

12           A. An established place of business for those purposes in  
14 this State; and

16           B. A current dealer license issued by the Secretary of  
State.

18           4. Dismantled vehicle. "Dismantled vehicle" means a vehicle  
20 with a component part removed.

22           5. Identification number. "Identification number" means the  
vehicle identification number and any other identifying numbers  
24 or letters on a vehicle designated by a manufacturer, the  
Secretary of State or equivalent authority in another state.

26           6. Insurance salvage pool. "Insurance salvage pool" means  
28 a person engaged in the business of storing salvage vehicles on  
behalf of an insurer and disposing of the salvage vehicles  
30 through a system of bidding or sales, regardless of whether the  
insurer or the insurance salvage pool is considered the seller.

32           7. Lienholder. "Lienholder" means a person holding a  
34 security interest in a vehicle.

36           8. Owner. "Owner" means a person, other than a lienholder,  
that has control or title to a vehicle. "Owner" includes, but is  
38 not limited to, a person entitled to use and possess a vehicle  
subject to a security interest in another person, but excludes a  
40 lessee under a lease not intended as security.

42           9. Perfected security interest. "Perfected security  
interest" means security interest that is valid against 3rd  
44 parties generally, subject only to specific statutory exceptions.

46           10. Rebuild. "Rebuild" means to replace any component part  
of a vehicle.

48           11. Recycler. "Recycler" means a person engaged in the  
50 business of purchasing or acquiring salvage vehicles for the  
purpose of:

2        A. Reselling the vehicle or its component parts;

4        B. Rebuilding or repairing the vehicle for the purpose of  
6        resale;

8        C. Selling the vehicle's basic materials;

10       D. Permitting the display or storage of the vehicle or its  
12       parts; or

12       E. Acting as a scrap processor.

14       12. Repair. "Repair" means to remedy structural or other  
16       damage without replacing component parts of a vehicle.

18       13. Salvage vehicle. "Salvage vehicle" means a vehicle  
20       that, by reason of its condition or circumstance, is declared a  
22       total loss by an insurer or owner, or a vehicle for which a  
24       certificate of salvage has been issued.

26       14. Scrap. "Scrap," the verb, means to compress, shred or  
28       destroy.

30       15. Scrap processor. "Scrap processor" means a person that  
32       is engaged in the business of scrapping salvage vehicles for the  
34       basic material in them but that is not engaged in the business of  
36       selling parts or rebuilding or repairing salvage vehicles.

38       16. Security agreement. "Security agreement" means a  
40       written agreement that reserves or creates a security interest.

42       17. Security interest. "Security interest" means an  
44       interest in a vehicle reserved or created by agreement and that  
46       secures payment or performance of an obligation, including, but  
48       not limited to, the interest of a lessor under a lease intended  
      as security.

18. State. "State" means a state, territory or possession  
      of the United States, the District of Columbia, the Commonwealth  
      of Puerto Rico or a province of the Dominion of Canada.

19. Total loss. "Total loss" means a vehicle that is  
      transferred to an insurer due to damage, destruction or theft, or  
      a vehicle determined by an owner to have no marketable value  
      other than the value of the basic material and parts used in the  
      construction of the vehicle.



20. Vehicle. "Vehicle" means a vehicle, as defined in section 101, or the body or chassis of any vehicle that is to be dismantled, scrapped or rebuilt.

§603. Fees

1. Fee of \$10. A fee of \$10 must be paid to the Secretary of State for the following:

A. A report of a search of the records of the Bureau of Motor Vehicles for each name or identification number;

B. Filing an application for a first certificate of title, including security interest;

C. Filing notice of a security interest after the first certificate of title has been issued;

D. A certificate of title after a transfer;

E. A certificate of salvage;

F. A corrected certificate of title or salvage;

G. A duplicate certificate; or

H. Assignment of a new vehicle identification number.

2. Fee of \$2.50. A fee of \$2.50 must be paid to the Secretary of State for the following:

A. A second or subsequent security interest noted on an application for certificate of title;

B. Filing an assignment of a security interest; or

C. An ordinary certificate of title issued on surrender of a distinctive certificate.

3. Dealer charges. A vehicle dealer may not charge fees for titling purposes in excess of those in this section.

Other fees charged for document processing must be disclosed to a purchaser prior to final sale and be clearly posted on a vehicle to which the charge applies.

Violation of this subsection is a Class E crime.

4. Penalty. If an application, certificate of title or other document required to be delivered to the Secretary of State

is not delivered to the Secretary of State within 20 days, the Secretary of State shall collect, as a penalty, an amount equal to the fee required for the transaction.

5. Exemption from title fees. Owners exempt from registration fees are also exempt from title fees.

## SUBCHAPTER II

### CERTIFICATE OF TITLE AND CERTIFICATE OF SALVAGE

#### §651. Certificate of title required

1. Application of subchapter. Except as provided in section 652, this subchapter applies to a vehicle at first registration or when a change of registration is required by reason of a sale for consideration.

2. Renewal. The Secretary of State may not require an application for a certificate of title upon renewal of registration.

3. Warranty title; antique auto; horseless carriage; classic vehicle. The Secretary of State may, on documented and notarized evidence of ownership and payment of a \$40 fee, issue a warranty title to a Maine resident owner of an antique auto, horseless carriage or classic vehicle. A warranty title denotes that there are no known liens or encumbrances against the vehicle.

4. Certificate of salvage. The Secretary of State may issue a certificate of salvage upon surrender of a certificate of title and evidence that a vehicle was declared a total loss by an owner or an insurance company.

5. Certificate of lien. The Secretary of State shall issue a certificate of lien to the first named lienholder, when a certificate of title or a certificate of salvage names a lienholder.

#### §652. Exempted vehicles

A certificate of title or a certificate of salvage is not required for:

1. United States' vehicle. A vehicle owned by the Federal Government, unless it is registered in this State;

2. Manufacturer's or dealer's vehicle. A vehicle owned by a manufacturer or dealer and held for sale, even though

2 incidentally moved on the highway or used for purposes of testing  
3 or demonstration, or a vehicle used by a manufacturer solely for  
4 testing;

5 3. Nonresident's vehicle. A vehicle owned by a nonresident  
6 and not required to be registered in this State, unless it is  
7 registered in this State;

8 4. Vehicles used in interstate or intrastate  
9 transportation. A vehicle regularly engaged in interstate or  
10 intrastate transportation of persons or property, for which a  
11 current certificate of title has been issued in another state;

12 5. Self-propelled wheelchair. A self-propelled wheelchair;

13 6. Trailers under 3,000 pounds. A trailer with an unladen  
14 weight of 3,000 pounds or less;

15 7. Motorcycle of less than 300 cubic centimeters. A  
16 motorcycle, motor-driven cycle or a moped with an engine  
17 displacement of less than 300 cubic centimeters;

18 8. Resident's vehicle registered in another state. A  
19 vehicle owned by a resident but registered in another state;

20 9. Mobile home. A mobile home;

21 10. Certain driver education vehicles. A vehicle loaned by  
22 a dealer to a municipality or a private secondary school for use  
23 in driver education in a secondary school;

24 11. Special mobile equipment. Special mobile equipment;

25 12. Special equipment. Special equipment;

26 13. Model year prior to 1984. Vehicles with a model year  
27 prior to 1984;

28 14. Salvage vehicle. A salvage vehicle with a certificate  
29 of salvage or other comparable document from another state; and

30 15. Other vehicles. A vehicle required to be registered  
31 under section 109, subsection 3 for which a current certificate  
32 of title has been issued in another state.

33 §653. Certificate of origin

34 1. Execution upon delivery. When a new vehicle is  
35 delivered by a manufacturer or importer to an agent or a

franchised dealer, the manufacturer or the importer shall execute and deliver a certificate of origin.

**2. Certificate of origin required.** A person may not bring into this State a new vehicle, unless that person possesses the certificate of origin.

**3. Information contained in certificate.** The certificate of origin must contain:

A. The manufacturer's vehicle identification number;

B. The name of the manufacturer;

C. The number of cylinders;

D. A general description of the body;

E. The model year designation; and

F. The type of model.

**4. Sale.** When a new vehicle is sold, the seller shall execute and deliver to the purchaser an assignment of the certificate of origin with the names and the business or residence addresses of both. The seller shall certify that the assignment was executed with full knowledge of the contents by and with the consent of both purchaser and seller.

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

**§654. Application for certificate of title and certificate of salvage**

**1. Contents.** An application to the Secretary of State for a certificate of title or a certificate of salvage must be made on a form prescribed by the Secretary of State, be signed by the owner of the vehicle and contain the following information:

A. The name, residence and mailing address of the owner;

B. A description of the vehicle, including, as far as data exists, its make, model, model year, vehicle identification number, type of body, current mileage and whether new or used;

C. The date of purchase by the applicant, the name and address of the person from whom the vehicle was acquired;

2 D. If for a certificate of title, the names and addresses  
4 of lienholders in the order of their priority and the dates  
6 of their liens;

8 E. If for a new vehicle, a certificate of origin;

10 F. If for a used vehicle, a previous certificate of title;

12 G. Any further information that the Secretary of State  
14 requires to identify the vehicle and to enable determination  
16 of whether the owner is entitled to a certificate and the  
18 existence of security interests in the vehicle; and

20 H. The required fee.

22 2. Purchased from the dealer. If the application is for a  
24 vehicle purchased from a dealer, in addition to the requirement  
26 set forth in subsection 1, the application must be signed by the  
28 dealer and must contain the name and the address of any  
30 lienholder or assignee holding an interest created or reserved at  
32 the time of sale and the date of the lien. The dealer shall,  
34 within 20 days after the sale, deliver the application to the  
36 Secretary of State. The dealer must deliver a copy of the  
38 application to the lienholder.

40 3. Registered in another state. If the application is for a  
42 vehicle last registered in another jurisdiction, in addition to  
44 the requirements set forth in subsection 1, the application must  
46 include:

48 A. A certificate of title or a certificate of salvage  
50 issued by that jurisdiction; and

B. The certificate of a person authorized by the Secretary  
of State that the identification number of the vehicle has  
been inspected and found to conform to the description given  
in the application, or other proof of the identity of the  
vehicle required by the Secretary of State.

4. Vehicle declared total loss. If a vehicle is declared a  
total loss by an owner or insurer, the owner or insurer shall  
file an application for a certificate of salvage pursuant to  
section 667. The application must be on a form prescribed by the  
Secretary of State and, in addition to the requirements set forth  
in subsection 1, must include:

A. A certificate of title or a certificate of origin; and

B. Any other information or documents the Secretary of  
State requires to administer the provisions of this section.

2 The Secretary of State shall act on an application for a  
4 certificate of salvage within 20 days of receipt of the  
application.

6 **§655. Missing ownership documents or assignments**

8 1. Application for certificate. The owner of a vehicle who  
10 is unable to obtain a certificate of origin, certificate of  
12 title, certificate of salvage or an assignment of these documents  
14 showing sale to the owner may file with the Secretary of State an  
application for a certificate in the owner's name. The  
application must be accompanied by the required fee.

16 2. Evidence. The owner shall provide evidence that:

18 A. The applicant is the true owner of the vehicle;

20 B. There are no prior outstanding liens against the  
vehicle; and

22 C. The applicant has been unsuccessful in an attempt to  
24 have the certificate or other documents transferred or  
26 assigned because the prior owner can not be located, has  
ignored the request or refuses to transfer or assign the  
documents to the applicant.

28 3. Review of application and evidence. The Secretary of  
30 State shall review the application, examine the evidence and  
investigate the ownership of the vehicle. As part of that  
32 investigation, the Secretary of State shall:

34 A. Request the prior owner or holder of the certificate or  
other document to remit the document to the Secretary of  
36 State or make the necessary assignments; or

38 B. Notify the prior owner, at the prior owner's last known  
address, of the Secretary of State's intent to issue a  
40 certificate of title or a certificate of salvage to the new  
owner.

42 4. Issuance of certificate of title or certificate of  
44 salvage to new owner. The Secretary of State shall issue a  
certificate of title or certificate of salvage to the new owner:

46 A. If the prior owner or holder of the document remits the  
48 document and properly assigns it to the new owner; or

50 B. When the prior owner or holder fails to provide the  
document or make the necessary assignment, if:

2           (1) The prior owner or holder does not contest, within  
4           15 days of receiving notice, the intent to issue a  
            certificate to the new owner;

6           (2) There is satisfactory proof of ownership; and

8           (3) The certificate includes the statement: "This  
10           certificate may be subject to the rights of a prior  
            owner."

12           5. Delivery. The certificate of title or certificate of  
14           salvage must be sent to the owner named on the certificate. If a  
            lienholder is named on the certificate, the Secretary of State  
            shall send a certificate of lien to the first named lienholder.

16           6. Ordinary certificate. If the Secretary of State does  
18           not receive a notice of interest of a prior owner within 6 months  
20           from the issuance of the certificate, the holder may be issued a  
            certificate in ordinary form to replace the one issued as  
            described in subsection 4, paragraph B, subparagraph (3).

22           §656. Secretary of State to check identification number

24           Upon receiving an application for a certificate of title or  
26           certificate of salvage, the Secretary of State shall check the  
28           identification number in the application against the records of  
            certificates issued and of stolen or converted vehicles.

30           §657. Issuance of certificate

32           The Secretary of State shall issue a certificate of title or  
34           certificate of salvage as provided in this section.

1.           Original certificate. When satisfied of an  
36           application's genuineness and regularity and that the applicant  
38           is entitled to a certificate, the Secretary of State shall issue  
            an original certificate of title or certificate of salvage.

2.           Assignment of title. The Secretary of State, upon  
40           receipt of a properly assigned certificate of title or  
42           certificate of salvage with an application for a new certificate,  
44           the required fee and any other documents required by law, shall  
            issue a new certificate of title or certificate of salvage in the  
46           name of the transferee as owner and mail that certificate to the  
            owner. If a lienholder is named on the certificate of title or  
48           certificate of salvage, the Secretary of State must mail a  
            certificate of lien to the first named lienholder.

2 3. New certificate. The Secretary of State may issue a new  
4 certificate of title or certificate of salvage as provided in  
6 section 655.

8 4. Involuntary transfer. The Secretary of State, upon  
10 receipt of an application for a new certificate of title by a  
12 transferee other than by voluntary transfer, with proof of the  
14 transfer, the required fee and any other documents required by  
16 law, shall issue a new certificate of title in the name of the  
18 transferee as owner. If the outstanding certificate of title is  
20 not delivered to the Secretary of State, the Secretary of State  
22 shall demand the outstanding certificate of title from the holder.

24 5. Records. The Secretary of State shall maintain a record  
26 of issued certificates of title and salvage, which must be  
28 recorded:

30 A. Under a distinctive title number assigned to the vehicle;

32 B. Under the identification number of the vehicle;

34 C. Alphabetically, under the name of the owner; and

36 D. By any other method.

38 6. Inspection. Before a certificate of title or a  
40 certificate of salvage is issued, the Secretary of State may  
42 require that a vehicle be inspected for conformity to the  
44 description given in the application.

46 7. Mailing of certificate. The Secretary of State shall  
48 mail a certificate of title or certificate of salvage to the  
50 owner named on the certificate. The Secretary of State shall  
also mail a certificate of lien to the first lienholder named on  
the certificate. The certificate of lien must contain the same  
information required to be on the certificate of title by section  
658, subsection 1, and a place for the release of each lien.

§658. Information contained on certificates

1. Contents. A certificate of title or salvage must  
contain the following information:

A. The date issued;

B. The name and address of the owner;

C. The names and addresses of lienholders, in the order of  
priority as shown on the application or prior certificate;



2       D. The title number assigned to the vehicle;

4       E. A description of the vehicle, including its make, model,  
6       model year designation, identification number, type of body,  
      whether new or used, current mileage and, if a new vehicle,  
      the date of the first sale of the vehicle for use; or

8       F. Any other data the Secretary of State prescribes to  
10       administer this section.

12       2. Distinctive certificate of title. Unless a bond is  
14       filed as provided in section 659, a distinctive certificate of  
16       title must be issued for a vehicle that was last registered in  
      another jurisdiction that does not require that lienholders be  
      named on a certificate of title.

18       The certificate of title must contain the statement: "This  
      vehicle may be subject to an undisclosed lien."

20       If no notice of a security interest in the vehicle is received  
22       within 4 months from the issuance of the distinctive certificate  
24       of title, the Secretary of State shall, on application and  
      surrender of the distinctive certificate of title, issue a  
      certificate of title in ordinary form.

26       3. Forms. The certificate of title or certificate of  
28       salvage must contain forms for assignment and warranty of title  
30       by the owner or a dealer and may contain forms for an application  
      for a certificate of title by a transferee, the naming of a  
      lienholder or the assignment or release of the security interest.

32       4. Prima facie evidence. A certificate of title or  
34       certificate of salvage is prima facie evidence of the information  
      appearing on it.

36       5. Levies. A certificate of title or certificate of  
38       salvage is not subject to garnishment, attachment, execution or  
40       other judicial process. This does not prevent a lawful levy upon  
      the vehicle.

42       §659. Withholding of certificate of title or certificate of  
      salvage; bond required

44       1. Action by Secretary of State. If the Secretary of State  
46       is not satisfied as to ownership of the vehicle or the absence of  
48       security interests, the Secretary of State may register the  
      vehicle but must either:

50       A. Withhold a certificate of title or certificate of  
      salvage until the applicant presents documents to satisfy

2 the Secretary of State as to ownership and the absence of  
3 undisclosed security interests; or

4 B. Require the applicant to file a bond executed by the  
5 applicant that is:

6 (1) Either accompanied by a deposit of cash or  
7 executed by a person authorized to conduct a surety  
8 business in this State;

9 (2) In an amount equal to 1 1/2 times the value of the  
10 vehicle as determined by the Secretary of State; and

11 (3) Conditioned to indemnify a prior or subsequent  
12 owner or lienholder against any expense, loss or  
13 damage, including reasonable attorney's fees, by reason  
14 of the issuance of the certificate or on account of any  
15 defect in or undisclosed security interest in the  
16 interest of the applicant to the vehicle.

17 2. Recovery of bond for breach. An interested person may  
18 recover on a bond required under this section for a breach of its  
19 conditions, but the aggregate liability of the surety to all  
20 persons may not exceed the amount of the bond.

21 3. Return of bond or deposit. Unless the Secretary of  
22 State has been notified of the pendency of an action to recover  
23 against the bond, a bond or deposit required under this section  
24 must be returned at the end of 3 years or earlier, if the vehicle  
25 is no longer registered in this State and the current certificate  
26 of title or salvage is surrendered to the Secretary of State.

27 **§660. Refusal of certificate of title or salvage**

28 The Secretary of State shall refuse to issue a certificate  
29 of title or salvage if the required fee is not paid or if the  
30 Secretary of State has reason to believe that:

31 1. Applicant not owner. The applicant is not the owner of  
32 the vehicle;

33 2. False statement. The application contains a false or  
34 fraudulent statement; or

35 3. Insufficient information. The application fails to  
36 furnish required information or documents or additional  
37 information the Secretary of State reasonably requires.

38 **§661. Duplicate certificate of title, certificate of salvage**  
39 **or certificate of lien**