

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Amend Motor Vehicle Laws

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

Sec. 1. 29-A MRSA §512, 2nd ¶, as enacted by PL 1995, c. 645, Pt. B, §9, is repealed and the following enacted in its place:

The Secretary of State may establish rules for the extension of registrations issued pursuant to this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. 29-A MRSA §521, sub-§1, as amended by PL 2003, c. 431, §§1 to 3, is further amended to read:

1. Definition. "Person with a disability" means a person whose disability limits or impairs the ability to walk, as determined and certified by a licensed physician, physician assistant or nurse practitioner or registered nurse, to the extent that the person:

- A. Can not walk 200 feet without stopping to rest;
- B. Can not walk without assistance from another person or the use of a brace, cane, crutch, prosthetic device, wheelchair or other assistive device;
- C. Is restricted by lung disease to such an extent that the person's forced expiratory volume for one second when measured by spirometry is less than 1 liter or when the arterial oxygen tension is less than 60mm/hg on room air at rest;
- D. Uses portable oxygen;
- E. Has a cardiac condition to the extent that the person's functional limitations are classified in severity as Class 3 or Class 4 according to standards set by the American Heart Association;
- F. Is severely limited in the ability to walk due to an arthritic, neurological or orthopedic condition;
or
- G. Is recovering from childbirth.

Sec. 3. 29-A MRSA §521, sub-§5, as amended by PL 2001, c. 35, §2, is further amended to read:

5. Application; issuance. An application for a disability plate or placard must be accompanied by the certificate of a physician, physician assistant or nurse practitioner or registered nurse attesting to that person's physical disability as defined in subsection 1. The Secretary of State shall issue to an eligible applicant disability plates and windshield placards upon request. Proof of a disability must be submitted every 4 years on a form prescribed by the Secretary of State, except, when the Secretary of

State determines the disability to be permanent, the time may be extended. When the applicant's need for the disability placard terminates or the applicant dies, the plate or placard must be immediately returned to the Secretary of State.

Sec. 4. 29-A MRSA §521, sub-§6, ¶A, as amended by PL 2003, c. 431, §4, is further amended to read:

A. An application for a temporary placard must be accompanied by the certificate of a physician, physician assistant or, nurse practitioner or registered nurse attesting to the applicant's physical disability as defined in subsection 1 and the period of time that the physician, physician assistant or, nurse practitioner or registered nurse determines the applicant will have the disability. A temporary placard is not valid for a period of more than 6 months. The Secretary of State ~~must~~shall give priority consideration to requests for temporary placards.

A temporary placard issued pursuant to subsection 1, paragraph G is valid, after the birth of a child, for a period of not more than:

(1) One week after cesarean section delivery; or

(2) A time to be determined by the patient's physician after the birth of a preterm infant.

Sec. 5. 29-A MRSA §603, sub-§1, ¶G, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

G. A duplicate certificate; or

Sec. 6. 29-A MRSA §603, sub-§1, ¶H, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

H. Assignment of a new vehicle identification number;

Sec. 7. 29-A MRSA §603, sub-§1, ¶I is enacted to read:

I. A 2nd or subsequent security interest noted on an application for certificate of title;

Sec. 8. 29-A MRSA §603, sub-§1, ¶J is enacted to read:

J. Filing an assignment of a security interest; or

Sec. 9. 29-A MRSA §603, sub-§1, ¶K is enacted to read:

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

Sec. 10. 29-A MRSA §603, sub-§2, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is repealed.

Sec. 11. 29-A MRSA §603, sub-§3-A, as affected by PL 1995, c. 65, Pt. A, §153 and enacted by Pt. B, §9 and affected by Pt. C, §15, is amended to read:

3-A. Immediate issuance of document. An applicant requesting the immediate issuance of a document described in subsection 1 ~~or 2~~ must pay an additional fee of \$10 and state the reason for the request. The Secretary of State shall determine if an immediate issuance is warranted and process the request accordingly.

Sec. 12. 29-A MRSA §2382, sub-§5, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

5. Special mobile equipment. The Secretary of State may grant a permit, for no more than one year, to move pneumatic-tire equipment under its own power, including Class A and Class B special mobile equipment, over ways and bridges maintained by the Department of Transportation. The fee for that permit is ~~\$15~~\$25 for each 30-day period.

SUMMARY

This bill:

1. Amends the long-term trailer registration requirements to provide administrative flexibility for the extension of long-term trailer registrations. This allows the Secretary of State to adopt rules consistent with current accounting procedures;
2. Amends the disability plate law to allow a registered nurse to approve an application;
3. Corrects a title fee to charge the regular title fee when issuing a new title due to change in branding;
and
4. Amends the permit fee for a long-term overweight permit to be consistent with trip permit fees adopted in 2001.