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An Act To Assist Maine's Forest Products Industry

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, Maine is dependent on its natural resources-based economy; and

Whereas, the price of diesel fuel in Maine is at an all-time high and is devastating the Maine economy, especially with regard to loggers and truckers carrying forest products; and

Whereas, Governor John E. Baldacci has already issued a Declaration of Civil Emergency regarding the high price of diesel fuel and its impact on the State's forest products industry; and

Whereas, the Coalition to Lower Fuel Prices in Maine was recently established and has been meeting to find solutions to the high price of diesel fuel; and

Whereas, an increase of the gross vehicle weight of 6-axle tractor-trailers of 5% from 100,000 pounds to 105,000 pounds can be tolerated by Maine's roads and bridges when allowed for a short duration; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 29-A MRSA §2357, sub-§7, as amended by PL 2001, c. 513, §1, is further amended to read:

7. Penalty calculation; fine base and fine schedule. When a weight tolerance established in this section is exceeded, the difference between the actual weight and the fine base for the tolerance must be used as the basis for determining the percentage of overload in the appropriate fine schedule and the tolerance must be disregarded. For a 6-axle combination vehicle described in subsection 4 that is registered for 100,000 pounds, the fine base for the gross vehicle weight is 100,000 pounds and the fine schedule in section 2354 applies. Violations for gross vehicle weight between 100,000 pounds and 105,000 pounds for a 6-axle combination vehicle that is registered for 100,000 pounds carrying forest products are waived until April 1, 2008. For a 6-axle combination vehicle described in subsection 4 that is registered for less than 100,000 pounds, the fine base for gross vehicle weight is 90,000 pounds and the fine schedule in section 2360 applies. For all other vehicles operating under the gross vehicle weight tolerances in subsection 2, and for all vehicles operating under the axle unit weight tolerances in subsection 2, the fine base is the appropriate limit in section 2353 and the fine schedule in section 2360 applies.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

SUMMARY

This bill waives gross vehicle weight violations between 100,000 and 105,000 pounds for 6-axle combination vehicles registered for 100,000 pounds carrying forest products until April 1, 2008.