



# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

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Legislative Document

No. 1455

S.P. 573

In Senate, March 30, 2023

### **An Act to Establish the Weighing Point Preclearance Program**

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Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator FARRIN of Somerset.  
Cosponsored by Representative PARRY of Arundel.

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

2 **Sec. 1. 29-A MRSA §2366** is enacted to read:

3 **§2366. Weighing Point Preclearance Program**

4 **1. Definitions.** As used in this section, unless the context otherwise indicates, the  
5 following terms have the following meanings.

6 A. "Preclearance system" means an electronic system that verifies a commercial motor  
7 vehicle's size, weight, registration and safety records as the commercial motor vehicle  
8 drives on a highway and allows compliant commercial motor vehicles to bypass  
9 weighing points.

10 B. "Preclearance system provider" means a provider of the preclearance system under  
11 subsection 6.

12 C. "Program" means the Weighing Point Preclearance Program established pursuant  
13 to subsection 2.

14 D. "State Police" means the Department of Public Safety, Bureau of State Police.

15 E. "Weighing point" means a roadside station where commercial motor vehicles are  
16 required to stop for weight and safety inspections by the State Police.

17 **2. Establishment of program.** The State Police shall establish the Weighing Point  
18 Preclearance Program in accordance with the commercial motor vehicle information  
19 systems and networks electronic screening truck inspection and weighing point  
20 preclearance standards authorized by the Federal Motor Carrier Safety Administration.

21 Any proposed infrastructure to be installed within the right-of-way of a state highway  
22 pursuant to this subsection must be designed and constructed in accordance with standards  
23 from the department, as applicable, and reviewed by the department, as applicable, for  
24 approval prior to construction. All costs associated with the design, inspection, installation,  
25 maintenance and operation of the preclearance system is the responsibility of the  
26 preclearance system provider.

27 **3. Department preclearance system program.** If the department administers a  
28 program that is not the Weighing Point Preclearance Program and that uses a preclearance  
29 system, the department shall determine which weighing points must participate in that  
30 program, and all preclearance system providers' devices and platforms must be treated  
31 equally and used concurrently at participating weighing points in accordance with this  
32 section.

33 **4. Operation of program.** The State Police shall operate the program at each location  
34 where commercial motor vehicle weight enforcement is conducted. A preclearance system  
35 provider's devices and platform must be used uniformly at each location where the program  
36 is operated in accordance with subsection 6.

37 **5. Program standards.** The State Police shall establish standards for the program in  
38 order to meet the needs of the State and conform with weighing point preclearance  
39 programs in other states, including standards regarding safety history and preclearance  
40 credential status.

41 **6. Preclearance system criteria and devices.** The preclearance system used by the  
42 program must meet the following criteria.

