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Date: (Filing No. H-)

TRANSPORTATION

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1048, L.D. 1524, Bill, “An Act To Amend Maine Motor Vehicle Laws”

Amend the bill in section 2 in subsection 93 in the last line (page 1, line 10 in L.D.) by striking out the following: "one vehicle" and inserting the following: 'one vehicle 2 vehicles'

Amend the bill in section 4 by striking out all of paragraph A (page 1, lines 32 to 38 and page 2, lines 1 to 9 in L.D.) and inserting the following:

'A. A person may not violate any provision of the rules of the Department of Public Safety, Bureau of State Police adopted under section 555 that incorporates by reference any of the following federal regulations or that is an amended version of any of the following federal regulations:

- (1) 49 Code of Federal Regulations, Section 390.21 (~~2007~~);
- (2) Except as otherwise provided in subsection 1, paragraph C, 49 Code of Federal Regulations, Section 391.41 (~~2007~~);
- (3) 49 Code of Federal Regulations, Sections 392.7, 392.8, 392.9(a), 392.9(b), 392.16, 392.22, 392.24, 392.25, 392.33, 392.71, 392.80 and 392.82 (~~2007~~);
- (4) Any section of 49 Code of Federal Regulations, Part 393 (~~2007~~);
- (4-A) 49 Code of Federal Regulations, Sections 395.3(a)(3)(ii), 395.8(a)(2)(ii), 395.8(d) and 395.8(i) (~~2014~~); or
- (5) 49 Code of Federal Regulations, Part 396, except Sections 396.7 and 396.9 (~~2007~~).'

Amend the bill by striking out all of section 6.

Amend the bill in section 8 in §1951 in the first paragraph in the last line (page 2, line 33 in L.D.) by striking out the following: "390.21" and inserting the following: '390.21T, as amended'

COMMITTEE AMENDMENT

1 Amend the bill by striking out all of section 9 and inserting the following:

2 **'Sec. 9. 29-A MRSA §1953, sub-§2, ¶C,** as enacted by PL 1993, c. 683, Pt. A,
3 §2 and affected by Pt. B, §5, is repealed.'

4 Amend the bill in section 10 in §2120 by striking out all of subsections 4 and 5 (page
5 3, lines 12 to 16 in L.D.) and inserting the following:

6 **'4. Penalty. A person who violates subsection 2 commits a traffic infraction for**
7 **which a fine of \$50 must be adjudged.'**

8 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
9 section number to read consecutively.

10 SUMMARY

11 Under current law, the definition of "wrecker" specifically excludes a vehicle
12 designed to carry or tow more than one vehicle on its own body. This amendment
13 amends that definition to include a vehicle designed to carry or tow up to 2 vehicles on its
14 own body.

15 The amendment also strikes redundant language that seeks to clarify that the version
16 of federal regulations incorporated by reference into the rules of the Department of Public
17 Safety, Maine State Police is the most current version as filed with the Secretary of State.
18 Current law already provides for this.

19 The amendment strikes from the bill the provision that creates the Class C crime of
20 operating, or permitting the operation of, a motor vehicle without proof of financial
21 responsibility if death or serious bodily injury results from an accident involving that
22 motor vehicle.

23 The amendment makes a technical correction to a reference to a federal regulation.

24 Current law specifies that a truck tractor need not be equipped with splash guards
25 when it is not hauling a trailer or semitrailer. The amendment repeals that exception.

26 The bill reallocates from the Maine Revised Statutes, Title 22 to Title 29-A the
27 statute that prohibits a person from smoking in a motor vehicle when a person who has
28 not attained 16 years of age is present in that motor vehicle. The amendment provides
29 that a penalty for a violation of this prohibition is a traffic infraction rather than a civil
30 violation.

31 FISCAL NOTE REQUIRED

32 (See attached)