

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND AND THIRTEEN

—
S.P. 320 - L.D. 943

An Act To Amend Provisions of the Law Pertaining to Motor Vehicles

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

Sec. 1. 25 MRSA §2106-A, as amended by PL 1983, c. 862, §73, is repealed and the following enacted in its place:

§2106-A. Penalties

A person who violates this chapter or a rule adopted pursuant to this chapter commits a Class D crime, except that if the violation is discovered during a routine compliance review as defined in 49 Code of Federal Regulations, Part 385.3, the violation is a civil violation.

A civil violation under this section is subject to a fine, which must be determined with due consideration of the Federal Motor Carrier Safety Administration's uniform fine assessment program.

Sec. 2. 29-A MRSA §101, sub-§42, as amended by PL 2005, c. 577, §5, is further amended to read:

42. Motor vehicle. "Motor vehicle" means a self-propelled vehicle not operated exclusively on railroad tracks, but does not include:

- A. A snowmobile as defined in Title 12, section 13001;
- B. An all-terrain vehicle as defined in Title 12, section 13001, unless the all-terrain vehicle is permitted in accordance with section 501, subsection 8 or is operated on a way and section 2080 applies; and
- C. A motorized wheelchair or an electric personal assistive mobility device.

Sec. 3. 29-A MRSA §101, sub-§80, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is repealed.

Sec. 4. 29-A MRSA §101, sub-§86, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

86. Trailer. "Trailer" means a vehicle without motive power, designed to carry persons or property and to be drawn by a motor vehicle, not operated on railroad tracks, and so constructed that no part of its weight rests upon the towing vehicle. "Trailer" does not include tow dollies.

Sec. 5. 29-A MRSA §101, sub-§91, as amended by PL 2003, c. 414, Pt. B, §44 and affected by c. 614, §9, is further amended to read:

91. Vehicle. "Vehicle" means a device for conveyance of persons or property on a way. "Vehicle" does not include conveyances propelled or drawn by human power or used exclusively on railroad tracks or snowmobiles as defined in Title 12, section 13001 or an electric personal assistive mobility device ~~as defined in this section~~.

Sec. 6. 29-A MRSA §351, sub-§1, ¶A, as amended by PL 2001, c. 671, §3, is further amended to read:

A. A traffic infraction for which a ~~forfeiture~~ fine of not more than \$50 may be adjudged if the vehicle was registered and the registration has been expired for more than 30 days but less than 150 days; or

Sec. 7. 29-A MRSA §351, sub-§6 is enacted to read:

6. Improper registration. A traffic infraction for which a fine of not less than \$200 nor more than \$1,000 may be adjudged if the vehicle is not properly registered. For purposes of this subsection, "not properly registered" means the vehicle is either registered in a manner that is not reflective of its current actual use or as a type of vehicle that it is not as a matter of law, including, but not limited to, a motor vehicle registered as an antique auto when the vehicle is not an antique auto as defined in section 101, subsection 3.

Sec. 8. 29-A MRSA §2077, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

§2077. Working on ways

Sections 2051, 2053, 2055, 2056, 2066, 2068 and 2076 do not apply to a person, ~~team,~~ motor vehicle and other equipment actually engaged in work on the surface of a public way, but ~~does~~ do apply to such a person and vehicle when traveling to or from such work.

Sec. 9. 29-A MRSA §2601, sub-§3-A is enacted to read:

3-A. Electronic Violation Summons and Complaint. Notwithstanding subsection 3, the Chief Judge of the District Court may approve for use an electronic Violation Summons and Complaint form. The electronic Violation Summons and Complaint form must include, at a minimum, an electronic or digital signature of the officer, a brief

description of the alleged offense, the time and place of the alleged offense and the date on or before which the person is to file a written answer with the violations bureau.