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Date: (Filing No. H-)

TRANSPORTATION

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 475, L.D. 644, “An Act Regarding Motor Vehicle Registration Violations”

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 29-A MRSA §351, sub-§1, as amended by PL 2013, c. 112, §6, is further amended to read:

1. Failure to register. A person who operates a vehicle that is not registered in accordance with this Title, fails to register a vehicle or permits a vehicle that is not registered to remain on a public way commits:

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

~~B. A Class E crime if the vehicle was not registered or the registration has been expired for 150 days or more.~~

C. A traffic infraction for which a fine of not more than \$100 may be adjudged for a first offense if the vehicle was registered and the registration has been expired for 150 days or more;

D. A traffic infraction for which a fine of not more than \$500 may be adjudged for each subsequent offense; or

E. A Class E crime if the vehicle has never been registered by the current owner of the vehicle.

A person served with a Violation Summons and Complaint charging a violation of this subsection may have the complaint dismissed if that person shows satisfactory evidence of registration that was in effect at the time of the alleged violation or that the person subsequently registered the vehicle prior to the date required for filing an answer to the complaint. The clerk of the District Court Violations Bureau must dismiss the complaint if, prior to the date required for filing an answer to the complaint, the person charged files

COMMITTEE AMENDMENT

1 a copy of the Violation Summons and Complaint with the bureau, together with satisfactory
2 evidence of registration. If a person files a timely answer to a Violation Summons and
3 Complaint alleging a violation of this subsection and that person presents to the court at the
4 time of trial satisfactory evidence of registration, the court must dismiss the complaint.

5 **Sec. 2. 29-A MRSA §351, sub-§1-A**, as amended by PL 2005, c. 433, §5 and
6 affected by §28, is further amended to read:

7 **1-A. Residents required to register.** An owner of a vehicle who becomes a resident
8 of this State shall register that vehicle in this State within 30 days of establishing residency.
9 A person who operates or allows a vehicle that is not registered in accordance with this
10 subsection to remain on a public way commits:

11 A. A traffic infraction for which a fine of not more than \$50 may be adjudged for a
12 first offense if more than 30 days but less than 150 days has elapsed since establishing
13 residency; ~~or~~

14 A-1. A traffic infraction for which a fine of not more than \$500 may be adjudged for
15 a 2nd and each subsequent offense; or

16 B. A Class E crime if more than 150 days have elapsed since establishing residency.

17 **Sec. 3. 29-A MRSA §351, sub-§2, ¶A**, as enacted by PL 1993, c. 683, Pt. A, §2
18 and affected by Pt. B, §5, is amended to read:

19 A. Within ~~2~~ 10 business days, the owner or operator must register the vehicle;'

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

22 SUMMARY

23 This amendment strikes from the bill the requirement that a warning be issued for all
24 traffic stops for expired registrations and instead provides that it is:

25 1. A traffic infraction for which a fine of not more than \$50 may be adjudged for a
26 first offense if the vehicle was registered and the registration has been expired more than
27 30 days but less than 150 days;

28 2. A traffic infraction for which a fine of not more than \$100 may be adjudged for a
29 first offense if the vehicle was registered and the registration has been expired for 150 days
30 or more and for which a fine of not more than \$500 may be adjudged for each subsequent
31 offense; and

32 3. A Class E crime if the vehicle has never been registered by the current owner of the
33 vehicle.

34 The amendment also provides that a person served with a Violation Summons and
35 Complaint charging a violation of failure to register a vehicle may have the complaint
36 dismissed if that person shows satisfactory evidence of registration that was in effect at the
37 time of the alleged violation or that the person subsequently registered the vehicle prior to
38 the date required for filing an answer to the complaint.

39 The amendment provides the following penalties for a violation of failure to change
40 out-of-state registrations:

1 1. A fine of not more than \$50 for a first offense if more than 30 days but less than
2 150 days has elapsed since establishing residency; or

3 2. A fine of not more than \$500 may be adjudged for each subsequent offense.

4 The amendment strikes the provisions in the bill proposing to change the law relating
5 to 14-day registration plates. The amendment also strikes the requirement that the
6 Secretary of State establish a notification system to inform individuals of registrations that
7 are going to expire within the next 30 days.