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Testimony of Lt. Bruce Scott

AGAINST LD 63

An Act to Clarify That Certain Imported Motor Vehicles Are Not Off-road Vehicles

Senator Chipman, Rep. Williams, and distinguished Members of the Joint Standing Committee on Transportation, my name is Lt. Bruce Scott, and I am the Commanding Officer of the State Police Traffic Safety Unit. I am here today to testify on behalf of the Department of Public Safety and the Maine State Police in Opposition of LD 63.

This bill aims to change the current definition of an "off road" vehicle to exempt motor vehicles imported pursuant to 49 United States Code, Section 30112(b)(9). That federal code is simply an exemption to allow the importation of non-conforming vehicles that are 25 years or older. To allow non-conforming vehicles to be registered for use on a public way just because they are old seems counterintuitive to Traffic Safety. Federal law prohibits these vehicles from being imported into the United States because they don't meet Federal Motor Vehicle Safety Standards (FMVSS), Environmental Protection Agency (EPA) pollutant requirements or the National Highway Traffic Safety Administration (NHTSA) DOT crash testing standards. But Federal law provides an exemption when these vehicles are 25 years or older. They don't suddenly become safer to operate on public

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ways the year they reach 25 years of age. The American Association of Motor Vehicle Administrators (AAMVA) and the Insurance Institute for Highway Safety (IIHS) recommend that all states ban these vehicles for highway use due to their safety concerns. The lack of safety components like airbags and crumple zones cause some of these vehicles perform very poorly in crash testing. Many of these vehicles are imported and used on private properties like farms, campgrounds, theme parks, fairgrounds and other off highway locations. Most countries that export these vehicles have a reverse excise program, meaning the older the vehicle gets the more expensive it becomes to register, thereby incentivizing owners to get rid of them as they age and replace them with newer, safer and greener models.

Statistics show that right hand vehicles are approximately 27% more likely to be involved in a crash than left hand drive vehicles and most of these imported vehicles are right hand drive. Also, the headlights are designed to illuminate towards the left (towards the ditch in other countries) which blind oncoming motorists and these headlights can't simply be adjusted back to the right where they become properly aimed. The entire assembly needs to be replaced so that the reflectors on the inside of the lens are pointed in the right direction to avoid blinding others. In addition to those concerns, we don't have way of knowing why the original manufacturer did not certify their vehicles to meet the safety standards discussed above. We do know that some other countries' laws are less restrictive than ours in the United States where safety and emissions standards are paramount.

To provide some historical information for you, approximately 10 years ago this Committee created a working group of stakeholders that included members of the legislature, the SoS Office, Maine State Police, owners of non-conforming vehicles, auto dealers and other interested parties to look into the feasibility of allowing these types of vehicles to be registered for and operated on a public way. After extensive research and collaboration, the group reported back to the Committee with a finding that non-conforming vehicles of any type should not be allowed to be registered or operated on a public way.

For these reasons, we urge you to vote "Ought Not to Pass" on LD 63

On behalf of the Department of Public Safety and the Maine State Police, I thank you for your time and would be happy to try and answer any questions that you might have.

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