



STATE OF MAINE  
Department of Public Safety  
Maine State Police  
Traffic Safety Unit  
State House Station 20  
Augusta, Maine  
04333-0020

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CHIEF

LT. COL. BRIAN P. SCOTT  
DEPUTY CHIEF

**Testimony of Lt. Bruce Scott**

**AGAINST LD 547**

**An Act to Modify Maine Motor Vehicle Inspection Standards to Permit Exterior, Nonstructural Corrosion That Does Not Directly Affect the Passenger Compartment**

Senator Nangle, Rep. Crafts, 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 547.

This bill, if passed, would codify some of our current rules into statute but would not allow for the rejection of certain components, regardless of the degree of rust. Even if the required component was so severely rusted that it was no longer securely attached to the vehicle or caused a safety concern. There would be no consideration given to the sharp edges that are produced by heavy corrosion and rust, which can be a hazard for both the occupants of the vehicles as they get in and out and others walking or riding by the vehicle. This bill does not consider the differences between a full framed vehicle, and one made of unit

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body construction. This bill specifically defines a rocker panel as a non-structural component, yet in unit body construction the rocker panel is a vital part of the structural integrity. This bill also assumes that doors, hoods, fenders, trunks and hatches are non-structural, yet all of those components are vital to maintain the integrity of the vehicle and improve crash worthiness. Current rules allow for considerable rust on a vehicle provided the answer to the following three questions is, "no;"

- Does the rust compromise the integrity of the vehicle or component?
- Can exhaust fumes permeate into the passenger compartment of the vehicle?
- Does the rust create sharp edges that can cause safety hazards for vehicle occupants or a passerby?

If the answer is yes to any or all those questions, the vehicle does not currently pass inspection, yet if this bill were to pass, the vehicle could pass a safety inspection, even though it may be dangerous to the occupants and others nearby.

This same bill was introduced in the 1<sup>st</sup> regular session of the 131<sup>st</sup> legislature and before this committee voted against the bill, I was asked if sharp rusted sharp edges were really a big deal? My reply, in substance, was that in addition to concerns of the sharp edges cutting someone as they got in or out of the vehicle, I believe(d) it was a consumer protection issue as well. When someone buys a used vehicle from a dealer that has a brand-new inspection sticker, you wouldn't want it to have rusted holes with sharp edges on the rocker panels. But, if you own the vehicle for years, you no longer want it to fail for the same reason. Having an opportunity to reflect, I would add that the current statute in Title 29-A section 1756 states equipment required to be inspected must be in good working order, be safely attached or secured to the chassis of the vehicle and not pose a hazard to the occupant of the vehicle or to the general public. With that being said, I believe the Maine State Police is following the spirit of that law but if this committee believes our interpretation is off, we are happy to remove the "sharp edges" issue from our inspection manual the next time we re-write the rules.

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In closing, minor amounts of rust or perforation that do not affect the structural integrity of the vehicle or component, that doesn't create dangerous sharp edges and that doesn't allow for the passage of fumes into the passenger compartment, on the vehicle is permissible.

If there are citizen complaints regarding licensed stations being too strict with regard to rust or any other standards set forth by rule or law, we will happily investigate any and all claims of causing unnecessary repairs. Any station found to be overselling or attempting to oversell will be strictly dealt with, with penalties up to and including, at times, a full revocation of their inspection license.

For these reasons, we urge you to vote "Ought Not To Pass" on LD 527

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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Offices located at: 36 Hospital Street, Augusta Maine  
(207) 624-8939 (Voice) (888) 524-7900 (TDD) (207) 624-7088 (Fax)