



Maine Municipal Association

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Testimony of the Maine Municipal Association

In Opposition Of

LD 644 - An Act Regarding Motor Vehicle Registration Violations

Senator Diamond, Representative Martin, and distinguished members of the Joint Standing Committee on Transportation, my name is Rebecca Graham, and I am providing testimony on behalf of Maine Municipal Association (MMA) in opposition to LD 644 at the direction of our 70 member Legislative Policy Committee.

There is currently no way for police agencies to communicate than an individual has been stopped and warned for a traffic infraction. As drafted, the language in LD 644 implies that any officer would somehow be able to know that an individual had been stopped previously and warned before an official ticket could be printed. This is functionally impossible and creates a system that is far from impartial for the operator.

Currently, law enforcement officers have a great deal of discretion when writing motor vehicle violations. They exercise this discretion based on the circumstance of the stop and sometimes local knowledge. In many instances, a lack of registering a motor vehicle is simply an oversight on the part of an operator. In other cases, it is an economic situation. Often, a warning is issued. A member of our LPC shared an incident that occurred when he was riding along with his police chief where an individual was stopped for a head light out but also had expired registration and no insurance with children in the vehicle. The decision of the chief was that they escorted the individual to his home advised him of the penalties that he would have incurred should the officer had written the violations and why each was very important.

The notification of expired registration is available to citizens every day via the Secretary of State's stickers on your vehicle. Currently, after 150 days, the amount of excise tax paid to register a vehicle is halved operating under an assumption that the vehicle has not been used while unregistered. As drafted, there is little incentive for an individual to register the vehicle on time. As with other tax loopholes this legislation will create a disincentive that will more often used by those with capacity to pay their excise tax for far more expensive vehicles than those who are financially struggling. At a minimum, if the committee chooses to move forward with this legislation the statutory reduction of excise tax for late year registration should also be removed.

Registration suspensions happen for a variety of reasons including repeated OUI offenses, failure to have a vehicle insured and failing to pay child support. LD 644 will also remove an important tool that allows the state to pursue neglectful parents, and dangerous operators with a history of posing a physical and financial threat to responsible residents.

If the intent of this legislation is to reduce the ability for law enforcement to use an expired registration a tool for a traffic stop, this committee should consider all the ways in which this tool is used. If the intent of this legislation is to reduce that financial burden on Mainers, then a better approach would be to allow a 30-day grace period on receipt of a summons for the individual to register the vehicle prior to the violation becoming actionable. While this happens frequently through officer discretion currently, this provides a better alternative without removing a vital tool for operator personal accountability.

If the intent is to reduce the violation fees then municipal officials would remind that when there is ability, many communities already send out notification to their residents via email. This is something communities have been able to accomplish when they have capacity.

For all of these reason, municipal officials ask that you vote ought not to pass on LD 644.