

Memorandum

Bureau of Motor Vehicles Dealer and Agent Services

To: All Municipalities

From: Susan Harris-Pomerleau, Section Manager, Dealer and Agent Services

Subject: Legislation

Date: July 16, 2007

The 123rd Legislative session has ended and the following changes in law and enactments are critical for you to know.

PL 83, LD 227, “An Act To Allow the Reimbursement of Motor Vehicle Excise Taxes in Certain Cases”. Effective September 20, 2007

This amends the excise tax law to provide that if the credit available exceeds the amount transferred to another vehicle, a municipality may choose, but is not required to refund the excess amount. If a municipality chooses to refund excess amounts it must do so in all instances where there is an excess amount. Effective

PL 177, LD 264, “An Act To Amend the Temporary Registration Plate Law”. Effective September 20, 2007

The law currently governing the issuance of a transit plate permit currently allows for a one-way direct move from point A to point B for a fee of \$12.00.

This amends Section 501, subsection 7, paragraph A(2) and paragraph D, to allow for a transit plate to be issued to move a vehicle from point A to point B and then return to point A, including any intermediate points set forth in the permit. The fee for this type of transit plate will be \$25.00. The one-way transit will remain at a \$12.00 fee.

Additionally, the law changes the length of the time a transit plate can be valid from 15 days to 10 days.

PL 229, LD 964 “An Act To Establish A Special License Plate To Honor Maine Residents Serving Our Country.” Effective November 1, 2007

Enacts the issuance of the Support Your Troops specialty license plate:

- Specialty plate fee of \$20 for first time issuance; \$15 renewal fees
- Vanity plates will be available (cannot duplicate other class codes)
- Standard plates must follow a unique 3-number, 3-alpha sequence.
- Can be used on vehicles Issued on vehicles up to 10,000 lbs. r.v.w.
- Ten dollars of the fee provides financial assistance to members of the Maine National Guard and Maine residents serving in the Reserves, as well as the family members of both. Fee distribution is determined by an Advisory Board which must be created as part of this new law.

PL 329, LD 781, “An Act Making Unified Highway Fund and Other Funds Allocations for the Expenditures of State Government and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2007, June 30, 2007 and June 30, 2009.”

This is the Highway Fund budget bill, which funds the Bureau’s operations.

Part M. Repeals MSRA section 1601-A, the insurance cancellation program.

Part R. Provides for the equalization of the 6-year driver license cycle.

PL 375, LD 1052, “An Act To Extend Eligibility for the Trade-in Credit to All Trailers.” Effective September 20, 2007

Amends Title 36, Section 1752, sub§19-A is enacted to provide a definition of a trailer.

It also subjects the casual sale of all trailers to the sales and use tax and extends the eligibility for the trade-in credit to all trailers. (I verified this information with Maine Revenue and effective September 20, 2007, sales tax will be required on a casual sale).

PL 376, LD 228, “An Act To Establish a Special Veterans License Plate for Motorcycles.” Effective November 1, 2007

29-A, MRSA, Section 523, sub§3-A is enacted to allow for the issuance of a Special Veteran motorcycle registration plate to veterans who have been honorably discharged from the United States Armed Forces. To obtain a plate, a registrant must show proof of honorable discharge (if not already registered with a VT or DS plate) and pay a one-time \$5.00 plate fee. The plate design is the same as the existing Disabled Veteran plate and bears the word VETERAN at the bottom of the plate.

PL 383, LD 513, “An Act To Amend the Motor Vehicle Laws.” Effective September 20, 2007

This is the Bureau’s bill. The bill makes a number of changes to motor vehicle laws, as follows:

- ✓ Sections 1 & 18: Maine Lemon Law vehicle. Requires when a motor vehicle is returned to a dealer due to the Maine Lemon Law buyback program, that the Bureau issue a new title branded as “Lemon Law Buyback”. All subsequent titles shall carry the same brand;
- ✓ Sections 2 & 7: Sports Utility Vehicles. Enacts a definition of a sports utility vehicle (SUV). An SUV is defined as a passenger motor vehicle built on a light truck chassis, or any motor vehicle designated by the U.S. Department of Transportation as an SUV. Makes clear that an SUV may be registered with passenger, commercial, or combination plates at the registrant’s option;
- ✓ Section 3 & 4, 8-12: Adjusts the truck related registration brackets to make the second bracket 6,001 to 10,000 pounds. The next bracket will start at 10,001 pounds.

The change applies to commercial, farm and motor home registrations. The fee for commercial registration at 10,000 pounds will be \$37.00. The fee for farm and motor home registrations will be \$27.00. In addition, wherever the law sets a limit of 9,000 pounds for various specialty plates, that limit is now increased to 10,000 pounds.

- ✓ Section 13: Disability Parking Placards. This change makes the alteration of a disability parking placard a traffic infraction subject to a fine of between \$100 and \$500.
- ✓ Section 15: Special Veteran Registration Plates issued to a company. Clarifies the law regarding the issuance of a special veteran registration plate when the motor vehicle is registered to a company. The qualifying veteran must be the primary driver of the vehicle. The company must be solely owned by the veteran; or the vehicle must be leased by the veteran; or that the employer must certify that the vehicle is assigned to the

qualified veteran and the veteran is the exclusive driver of the vehicle. The employer must attest that the veteran is the only driver of the vehicle.

Section 16: Pear Harbor Survivor Plates: Repeals the registration fee for the Pearl Harbor Survivor registration plate.

PL 240, LD 499, "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2008 and June 30, 2009" Emergency – Governor's Bill

This bill includes language to allow for the issuance of the Sportsman Specialty Plate, effective 04/01/2008.

PL 404, LD 893, "An Act To Exempt from Excise Tax Maine Military Personnel Who Are Serving Their Tours of Duty in Maine." Effective Date: 11/01/2007

Extends the exemption from excise tax to all members of the US Armed Forces, when stationed in Maine, regardless of the state of residency. Therefore, a Maine resident stationed in the State of Maine, is exempt from payment of excise tax on their motor vehicles. This does not apply to members of the National Guard or the Reserves of the US Armed Forces.

PL 456, LD 986, "An Act to Establish an Agricultural Education Registration Plate." Emergency. Effective June 28, 2007.

This bill creates the Maine Agriculture Education Registration Plate, and establishes a Council to administer the fund. The plate is to be available in three classes, passenger, commercial, and farm, and is to be issued by October 1, 2007.

The fee is twenty dollars for the initial plate, with ten dollars going to the "Maine Agriculture in the Classroom Council", and ten dollars to the Highway Fund for administration. The renewal fee is fifteen dollars with ten dollars going to the Council, and five dollars to the Highway Fund.

Plates will be issued in a three number-three letter combination. Vanity plates are allowed provided they do not duplicate any other class. Plates will be available in branches and town offices.

The bill creates the Maine Agriculture in the Classroom Council to administer the fund.

As you can see this was a very busy legislative session and they accomplished a great deal. We will address each of these issues and more in our Fall Workshop. Please share this information with your staff.