

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by striking out all of sections 1 and 7.

Amend the bill by inserting after section 7 the following:

Sec. 8. 29-A MRSA §552, as affected by PL 1995, c. 65, Pt. A, §153 and amended by Pt. B, §6 and affected by Pt. C, §15 is further amended to read:

§ 552. Operating authority license required

1. License required. A person transporting freight, merchandise, household goods or passengers by motor vehicle for hire, or advertising the transportation of passengers by limousine, on public ways between points within this State, or points within and without the State, must obtain an operating authority license. ~~A person licensed only to transport intrastate passengers for hire is not required to obtain a separate license as a freight and merchandise carrier.~~

2. Fee. The initial application fee for an intrastate-exempt license or a license exempted by the Interstate Commerce Commissiona license to transport intrastate passengers for hire is \$25. ~~For a passenger carrier, the~~The annual renewal fee is \$15.

3. Transfer. A license may not be transferred except, if the holder incorporates, the holder may transfer a license to the corporation upon the payment of a transfer fee and the filing of written notice of intent to transfer with the Secretary of State.

4. Effect. A license is not a termination, restriction in scope or suspension of a prior intrastate certificate of public convenience and necessity as defined in 49 United States Code, Section 306(6).

5. Passenger vehicles. ~~A motor vehicle licensed to transport passengers for hire is not required to obtain a separate license as a freight and merchandise carrier.~~

6. One permit. Only one interstate or intrastate license is required.

7. Deemed to hold permit. ~~Notwithstanding any other provision of this section, any person, firm or corporation transporting freight, merchandise, household goods or passengers by motor vehicle for hire in this State, on the effective date of this Act, pursuant to a certificate, permit or a license issued by the Public Utilities Commission or the Department of Transportation, as the case may be, is deemed to hold an operating permit as required by this section.~~

Sec. 9. 29-A MRSA §553, as amended by PL 1995, c. 65, Pt. A, §94 and affected by §153 and Pt. C, §15, is repealed.

Sec. 10. 29-A MRSA §554, as affected by PL 1995, c. 65, Pt. A, §153 and amended by Pt. B, §7 and affected by Pt. C, §15, is repealed.

Amend the bill in section 11 in subsection 3 in the 3rd line (page 3, line 32 in L.D.) by striking out the following: "to the subordinate lienholder for delivery" and inserting the following: '~~to the subordinate lienholder for delivery~~'

Amend the bill in section 14 in subsection 3 in the 10th line (page 5, line 2 in L.D.) by inserting after the following: "event" the following: 'or at a charitable event where a vehicle is displayed or offered as a prize for fund-raising purposes'

Amend the bill in section 18 in §1407 in the first paragraph in the 3rd line (page 5, line 37 in L.D.) by striking out the following: "20" and inserting the following: '30'

Amend the bill by striking out all of sections 19 to 21 and inserting the following:

Sec. 19. 29-A MRSA §1611, sub-§4, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

4. Additional requirements. In addition to this section, those for-hire carriers not exempted under section 556 must comply as required pursuant to ~~sections~~section 552 and 553.

Sec. 20. 29-A MRSA §1854, sub-§3, as amended by PL 2001, c. 563, §3, is further amended to read:

3. Response. On receipt of the notification, the Secretary of State shall inform the vehicle owner and lienholder, if any, by regular mail that the vehicle is being claimed under the abandoned vehicle law. The notice to the vehicle owner and lienholder, if any, must identify the vehicle by the year, make, model and vehicle identification number, give the name and address of the party claiming ownership, state the charges against the vehicle that the owner and lienholder, if any, must pay to retrieve the vehicle, and the date that the title or letter of ownership will pass to the new owner. If the party is claiming ownership of the vehicle pursuant to section 603, subsection 6, the notice must inform the vehicle owner and lienholder that the owner must pay \$23 to the Secretary of State the fee required in section 603 to transfer the title. A copy of this letter must be provided to the person claiming ownership.

Sec. 21. 29-A MRSA §2502, sub-§2, as amended by PL 2001, c. 511, §7, is further amended to read:

2. Suspension of special license. If the person refuses or fails to complete the alcohol and other drug program pursuant to Title 5, section 20073-B within 63 months after receiving a special license, the Secretary of State, following notice of that refusal or failure, shall suspend the special license until the person completes the program. The suspension must continue until the Secretary of State receives written notification from the Office of Substance Abuse that the person has satisfactorily completed all required components of that program. The Secretary of State shall provide notice of suspension and opportunity for hearing pursuant to Title 5, chapter 375, subchapter ~~IV~~4. The sole issue at the hearing is whether the person has written notification from the Office of Substance Abuse establishing that the person has satisfactorily completed all components of that program pursuant to Title 5, section 20073-B.

Sec. 22. Appropriations and allocations. The following appropriations and allocations are made.

SECRETARY OF STATE, DEPARTMENT OF

Administration - Motor Vehicles 0077

Initiative: Provides a one-time allocation for programming changes to extend title requirements to motor vehicles manufactured in 1995 and after.

HIGHWAY FUND	2009-10	2010-11
All Other	\$738	\$0
HIGHWAY FUND TOTAL	<hr/> \$738	\$0

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

SUMMARY

The amendment eliminates the section of the bill relating to low-speed vehicles.

The amendment also eliminates the sections of the bill that proposed to make adjustments to the commercial vehicle excise tax reimbursement laws.

The bill modifies the attended sales promotion procedures to provide for shorter permit periods at a reduced fee. The amendment also provides that a dealer who operates an attended sales promotion at a charitable event where a vehicle is displayed or offered as a prize for fund-raising purposes is exempt from the permit requirements.

The amendment increases the time within which a person is obligated to notify the Secretary of State of an address change from 10 to 30 days.

The amendment makes a technical correction relating to title fees.

The amendment repeals the "bingo stamp" operating authority program for identification of intrastate and interstate motor carriers as the program has been superseded by the federal Uniform Carrier Registration program.

Under current law, a first-time OUI offender may be eligible for a special license once the offender is engaged in an alcohol or other drug-related treatment program. The amendment decreases the time within which a person must complete an alcohol or other drug-related program from 6 to 3 months after receiving the special license, after which the Secretary of State is required to suspend the special license until the person completes the program.

The amendment also adds an appropriations and allocations section.