

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

An Act To Provide Support to Municipal Government by Imposing a Municipal Surcharge on Traffic Violations

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 29-A MRSA §2117 is enacted to read:

§ 2117. Municipal surcharge

In addition to every fine or forfeiture imposed pursuant to this Title, a \$30 municipal surcharge is imposed for a traffic infraction or violation committed in this State. The surcharge must be collected at the same time and in the same manner as other fines. The surcharge collected pursuant to this section accrues to the municipality in which the traffic infraction or violation occurred as provided in section 2602, subsection 4, paragraph D and is not considered a fine or forfeiture for purposes of section 2602, subsection 4, paragraphs A, B or C.

Sec. 2. 29-A MRSA §2602, sub-§4, ¶B, as amended by PL 2003, c. 498, §6 and affected by §12, is further amended to read:

B. Of the fines and forfeitures collected for traffic infractions under sections 511, 2354, 2356, 2360, 2380, 2387 and 2388, 7% accrues to the General Fund, 6% accrues to the Law Enforcement Agency Reimbursement Fund and the balance accrues to the General Highway Fund; **and**

Sec. 3. 29-A MRSA §2602, sub-§4, ¶C, as amended by PL 2003, c. 498, §6 and affected by §12, is further amended to read:

C. Of the fines and forfeitures collected for violations other than traffic infractions under sections 511, 2354, 2356, 2360, 2380, 2387 and 2388, only \$5 or 13%, whichever is greater, accrues to the General Fund and the balance accrues to the Highway Fund; **and**

Sec. 4. 29-A MRSA §2602, sub-§4, ¶D is enacted to read:

D. The municipal surcharge collected pursuant to section 2117 accrues to the municipality in which the violation occurred. Every 3 months, the Treasurer of State, after subtraction of an administrative fee, shall pay to a municipality the municipal surcharge collected on behalf of that municipality. The administrative fee imposed by the Treasurer of State may not be greater than 2% of the amount collected on behalf of the municipality.

SUMMARY

This bill imposes a \$30 municipal surcharge on every fine or forfeiture imposed for a violation of the motor vehicle laws. The surcharge accrues to the municipality in which the violation occurred, less a small administrative fee.