§2356. Operation of a vehicle exceeding registered weight

1. Operation prohibited. A person commits a traffic infraction if that person operates or causes operation of a vehicle in excess of its registered weight on a public way.
[PL 2001, c. 267, §2 (AMD); PL 2001, c. 267, §16 (AFF).]

2. Prima facie evidence. Operation of a vehicle is prima facie evidence that the operation was caused by the vehicle registrant.
[PL 2001, c. 267, §2 (AMD); PL 2001, c. 267, §16 (AFF).]

3. Exception.
[PL 2001, c. 267, §3 (RP); PL 2001, c. 267, §16 (AFF).]

4. Penalty. Notwithstanding Title 17-A, section 4-B, the fine for a violation of subsection 1 is twice the difference in the registration fees for the actual weight and the registered weight of the vehicle. The minimum fine for a violation of this section is $25.
[PL 2001, c. 267, §4 (AMD); PL 2001, c. 267, §16 (AFF).]

5. Reduced penalty.
[PL 2001, c. 267, §5 (RP); PL 2001, c. 267, §16 (AFF).]

6. Private ways exempted. This section does not apply to operating on private ways.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

7. Notice of failure to appear or noncompliance with orders. If a person after being ordered to appear to answer a violation fails to appear or after appearing fails to comply with an order issued pursuant to this section, the court shall notify the Secretary of State.
[PL 1995, c. 65, Pt. A, §153 (AFF); PL 1995, c. 65, Pt. C, §8 (NEW); PL 1995, c. 65, Pt. C, §15 (AFF).]

8. Suspension of registrations. After receiving notice pursuant to subsection 7, the Secretary of State shall suspend the person's registration certificates and plates and the privilege to operate a motor vehicle in this State. The suspension remains in effect until the person appears in court and complies with a court order.
[PL 2015, c. 473, §18 (AMD).]

9. Subsequent violation. A person issued a summons for violating this section does not commit a subsequent violation of this section involving the same vehicle and same load until the next business day.
[PL 2007, c. 383, §27 (NEW).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 65, §§A153,C15 (AFF). PL 1995, c. 65, §§C7,8 (AMD). PL 2001, c. 267, §§2-5 (AMD). PL 2001, c. 267, §16 (AFF). PL 2007, c. 383, §27 (AMD). PL 2009, c. 598, §39 (AMD). PL 2015, c. 473, §18 (AMD).

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