

MAINE STATE LEGISLATURE

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TRANSPORTATION

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 623, L.D. 848, Bill, "An Act to Return a Portion of Fines Resulting from Violations of Motor Vehicle Laws to Law Enforcement Agencies"

Amend the bill by striking out the title and substituting the following:

'An Act to Establish a One-year Moratorium on the Municipal Adoption and Enforcement of Certain Traffic Ordinances'

Further amend the bill by striking out everything after the title and before the summary and inserting in its place the following:

'Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the State can not support the enactment and enforcement of municipal ordinances that conflict with or duplicate traffic control limits contained in the Maine Revised Statutes, Title 29-A because of the effect on the consistency in the traffic laws and their enforcement across the State, the revenues of the State, the ability of the Secretary of State to regulate the licensing of motor vehicle operators and the ability of the Judicial Department to handle traffic violations fairly and efficiently; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

COMMITTEE AMENDMENT

R. 88.

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

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Sec. 1. 30-A MRSA §3009, sub-§1, ¶B, as amended by PL 1991, c. 549, §16 and affected by §17, is further amended to read:

B. The municipal officers may regulate the operation of all vehicles in the public ways and on publicly owned property.

(1) The violation of any ordinance authorized by this paragraph is a civil violation.

(2) A municipality may not adopt or enforce an ordinance authorized by this paragraph that is the same as or conflicts with any speed or other traffic control limits imposed by the Department of Transportation pursuant to Title 29-A. This subparagraph is repealed 90 days after adjournment of the Second Regular Session of the 118th Legislature.

Sec. 2. Report. The Joint Standing Committee on Transportation may report out legislation on the issue of municipal adoption of traffic control ordinances to the Second Regular Session of the 118th Legislature.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.'

Further amend the bill by inserting at the end before the summary the following:

FISCAL NOTE

Enactment of a one-year moratorium on municipal adoption and enforcement of certain traffic ordinances will avoid an unbudgeted loss of General Fund revenue from traffic fines.'

SUMMARY

This amendment replaces the bill, changes the title of the bill and makes the bill an emergency.

The amendment enacts a one-year moratorium on municipal adoption and enforcement of ordinances that conflict with speed or other traffic control limits imposed by the Department of Transportation pursuant to the Maine Revised Statutes, Title 29-A. The bill also authorizes the Joint Standing Committee on Transportation to report out legislation on this issue to the Second Regular Session of the 118th Legislature.