

MAINE STATE LEGISLATURE

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**STATE OF MAINE
118TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
TRANSPORTATION**

JULY 1997

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Sen. John T. Jenkins

Sen. Vinton E. Cassidy

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ONE HUNDRED EIGHTEENTH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS

Summary Of Legislation Before The Joint Standing Committees
August 1997

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

<i>CARRIED OVER</i>	<i>Bill carried over to Second Regular Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

David E. Boulter, Director
 Offices Located in the State House, Rooms 101/107/135

<u>Sponsor(s)</u> FISHER		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-198
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LD 914 proposed the following penalties for the failure to yield the right-of-way to an emergency vehicle.

1. It proposed that the failure to yield the right-of-way to an emergency vehicle be a Class E crime punishable by a \$250 minimum fine for the first offense and a mandatory 30-day suspension of a driver's license for a second offense occurring within three years of the first offense.
2. It proposed that a person who is a registered owner of a vehicle at the time that vehicle fails to yield the right-of-way to an emergency vehicle commits a traffic infraction.

Committee Amendment "A" (H-198) proposed to replace the bill. It proposed to make failing to yield the right-of-way to an emergency vehicle engaged in an emergency response a Class E crime. It also proposed that the operator of an emergency vehicle that is engaged in an emergency response may report the license plate number of a vehicle that fails to yield the right-of-way to that emergency vehicle. The registered owner of that vehicle would be considered to have committed a traffic infraction unless the registered owner provides one of four defenses:

1. A person other than the owner is convicted of failing to yield the right-of-way;
2. The registered owner is a lessor of vehicles and a lessee was driving the vehicle;
3. The vehicle is operated using a dealer or transporter registration plate and at the time of the violation the vehicle was operated by any person other than the dealer of transporter; or
4. A report that the vehicle was stolen is given to a law enforcement officer or agency before the violation occurs or within a reasonable time after the violation occurs and an investigation determines the vehicle was stolen.

Enacted law summary

Public Law 1997, chapter 162 makes failing to yield the right-of-way to an emergency vehicle engaged in an emergency response a Class E crime. It also provides that the operator of an emergency vehicle that is engaged in an emergency response may report the license plate number of a vehicle that fails to yield the right-of-way to that emergency vehicle. The registered owner of that vehicle is considered to have committed a traffic infraction unless the registered owner provides one of four defenses:

1. A person other than the owner is convicted of failing to yield the right-of-way;
2. The registered owner is a lessor of vehicles and a lessee was driving the vehicle;
3. The vehicle is operated using a dealer or transporter registration plate and at the time of the violation the vehicle was operated by any person other than the dealer of transporter; or

4. A report that the vehicle was stolen is given to a law enforcement officer or agency before the violation occurs or within a reasonable time after the violation occurs and an investigation determines the vehicle was stolen.

LD 927 **An Act to Eliminate the Requirement for a Motor Vehicle Title upon Registration if the Motor Vehicle Is More than 10 Years Old** **ONTP**

<u>Sponsor(s)</u> WRIGHT		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 927 proposed to allow a vehicle more than 10 years old to be registered without a title.

LD 931 **An Act to Amend the Laws Regarding Medical History Questions on an Application for a Driver's License** **ONTP**

<u>Sponsor(s)</u> POULIN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 931 proposed to require an applicant for a driver's license to answer a question on the application as to whether the applicant has ever suffered a cerebrovascular accident, commonly referred to as a stroke.

LD 934 **An Act to Add One Cent to the Gasoline Tax to Expand the Maine State Ferry Service between Frenchboro and Bass Harbor and Provide Municipalities with Road Maintenance Revenue** **ONTP**

<u>Sponsor(s)</u> VOLENIK		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 934 proposed to provide a 1¢ increase in the gasoline tax to be used as follows: 5% would have been used to purchase and operate a Maine State Ferry Service boat to service Frenchboro and provide a minimum of two daily round-trip ferry runs to Frenchboro with that boat; 5% would have been used by the Maine State Ferry Service for operating expenses in excess of expenses paid for by passenger revenues; and 90% would have been distributed to municipalities for the purpose of road maintenance.

LD 954 **An Act to Establish a Passamaquoddy License Plate** **ONTP**

<u>Sponsor(s)</u> MOORE		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 954 proposed to authorize the issuance of a special registration plate for members of the Passamaquoddy Tribe.