

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

MEMBERS:

Sen. William B. O'Gara, Chair

Sen. John T. Jenkins

Sen. Vinton E. Cassidy

Rep. Joseph D. Driscoll, Chair

Rep. Gerald N. Bouffard

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OPLA Staff:

John G. Kelley, Legislative Analyst

Jill Ippoliti, Legislative Analyst

Office of Policy and Legal Analysis

Room 101/107/135, 13 State House Station

Augusta, ME 04333

(207)287-1670



Maine State Legislature

OFFICE OF POLICY AND LEGAL ANALYSIS

13 State House Station, Augusta, Maine 04333-0013
Telephone: (207) 287-1670
Fax: (207) 287-1275

**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:

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

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

eliminates the requirement that the Department of Transportation publish the entire notice of layout and taking for each condemnation. This permits the department to eliminate publication of the lengthy metes and bounds description of each property interest. The department will continue to publish a list of affected owners and the type and extent of the interests acquired, along with a map of the location of the taking.

LD 1475

An Act to Amend Certain Motor Vehicle Laws

PUBLIC 437

<u>Sponsor(s)</u> O'GARA CASSIDY	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-319
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LD 1475 proposed to do the following.

1. Repeal the statutory provisions relating to state identification cards.
2. Allow for the issuance of vanity plates on trucks that are registered up to 9,000 pounds gross vehicle weight. It also proposed to repeal the language that requires a registrant to have the identical vanity plate prior to applying for a trailer vanity plate.
3. Allow the Secretary of State the ability to expand the environmental plate program.
4. Clarify the requirement for foreign long-term trailer registrants to have an agent.
5. Establish a separate account within the Highway Fund to reimburse municipalities for the difference between excise taxes based on the manufacturer's suggested retail price and the actual purchase price for heavy trucks.
6. Exempt mobile home dealers from the licensing requirement if they do not wish to hold trailer dealer plates. If a mobile home dealer wishes to hold trailer dealer plates, all requirements would need to be met before the license is issued.
7. Increase the record of sale retention time from three years to five years, which mirrors the requirements for other dealers and also meets the standards of the Federal Truth in Mileage Act of 1986.
8. Make clear which dealers are exempt from the salvage license fee.
9. Adopt an exemption provided in the Federal Motor Carrier Safety Regulations, 49 Code of Federal Regulations, Part 383.3(d)(3)(i), which authorizes states to waive the requirements for a commercial driver's license for back-up snow removal drivers employed by eligible units of local government. The vehicle would need to be operated within the boundaries of a city, town, county, district or other unit of local government created pursuant to law that has a total population of 3,000 or less. In addition, the vehicle would need to be operated by an employee of that local government for the purpose of removing snow or ice from a roadway by plowing, sanding or salting. The exemption would apply only when the employee who ordinarily operates the vehicle is unavailable or in need of additional assistance due to snow emergency. This bill would not affect the requirement that the customary operator of the vehicle have a commercial driver's license, nor would it affect other laws and rules concerning the safe operation of commercial vehicles.
10. Allow the State to comply with the anticipated federal enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. This Act requires, at a minimum, every applicant for a driver's license

or other comparable identification document to submit the applicant's social security number and for the State to verify with the federal Social Security Administration that such number is valid.

11. Remove semitrailers from the endorsement fee. A special endorsement is not required for a semitrailer.
12. Require a full-face digital image or a photographic image of the licensee to be displayed on a driver's license.
13. Clarify that a \$3 fee is charged for a photographic or digitized driver's license.
14. Give authority to the Secretary of State to capture, store, retrieve, reproduce and distribute the digital image and digital signature of the licensee.
15. Authorize the Secretary of State to utilize codes on a license instead of a decal for organ donations.
16. Clarify that an additional fee of \$3 is required for a photograph or digital image of the licensee.
17. Clarify that when any change is made on photograph or digitized driver's license, that license, when issued, is considered a duplicate.
18. Make it clear that a veteran must be permanently, 100% disabled to obtain a driver's license without paying a fee.
19. Enact a law stating that the Secretary of State is responsible for the issuance of nondriver identification cards. In addition this bill would give authority to the Secretary of State to capture, store, retrieve, reproduce and distribute the digital image and digital signature of the nondriver identification card applicant. This bill would also establish an expiration date to ensure that an updated picture of the nondriver identification card holder is displayed on the document and requires social security number.
20. Require a person adjudicated of the offense of failing to produce evidence of insurance to file proof of financial responsibility with the Secretary of State. The bill would also increase the minimum amounts of automobile liability insurance coverage.
21. Remove the higher insurance coverage from trailer and mobile home dealers and lower the property damage limits from \$300,000 to \$100,000 for licensed vehicle dealers.
22. Require that the multiple operating-under-the-influence offenders who wish to have their licenses reinstated early under the Ignition Interlock Device Program have automobile liability insurance.
23. Require all International Registration Plan revenues collected in fiscal years 1996-97 and 1997-98 be transferred to a special account.

Committee Amendment "A" (S-319) proposed to make a variety of technical changes to the motor vehicle laws. It proposed to:

1. Allow vanity plates to be issued for trucks registered up to 9,000 pounds gross vehicle weight and to semitrailers that do not exceed 2,000 pounds;
2. Allow a pickup truck with a semitrailer that has a registered weight of 2,000 pounds or less to be registered as a noncommercial vehicle, provided that the truck and trailer are used for noncommercial purposes;

3. Authorize the Bureau of Motor Vehicles to require all motor carriers to display a United States Department of Transportation census number;
4. Require a vehicle sold by a dealer to be accompanied by a certificate of title or salvage at the time of the vehicle's sale;
5. Clarify that a mobile home dealer is not required to obtain heavy trailer dealer registration plates;
6. Provide licenses for automobile dealers to conduct operations and promotions at locations other than primary facilities;
7. Strike from the bill provisions regarding the dispensation of excise taxes collected under the International Registration Plan;
8. Strike from the bill certain provisions relating to automobile insurance requirements;
9. Clarify that a woods tractor that is exempt from the complete motor vehicle inspection requirements must be used solely for logging purposes;
10. Establish that a person commits a Class E crime if that person knowingly disseminates information that is protected by state laws or rules that implement the Federal Driver's Privacy Protection Act of 1994;
11. Require a person who seeks early reinstatement of a driver's license under the ignition interlock statutes to obtain an automobile insurance policy with \$300,000 limits for property damage and the injury or death of a person; and
12. Add a fiscal note to the bill.

Enacted law summary

Public Law 1997, chapter 437 makes a variety of changes to the motor vehicle laws. It:

1. Repeals the statutory provisions relating to state identification cards.
2. Allows for the issuance of vanity plates on trucks that are registered up to 9,000 pounds gross vehicle weight. It also repeals the language that requires a registrant to have the identical vanity plate prior to applying for a trailer vanity plate.
3. Allows the Secretary of State the ability to expand the environmental plate program.
4. Clarifies the requirement for foreign long-term trailer registrants to have an agent.
5. Exempts mobile home dealers from the licensing requirement if they do not wish to hold trailer dealer plates. If a mobile home dealer wishes to hold trailer dealer plates, all requirements must be met before the license is issued.
6. Increases the record of sale retention time from three years to five years, which mirrors the requirements for other dealers and also meets the standards of the Federal Truth in Mileage Act of 1986.

7. Makes clear which dealers are exempt from the salvage license fee.
8. Adopts an exemption provided in the Federal Motor Carrier Safety Regulations, 49 Code of Federal Regulations, Part 383.3(d)(3)(i), which authorizes states to waive the requirements for a commercial driver's license for back-up snow removal drivers employed by eligible units of local government. The vehicle must be operated within the boundaries of a city, town, county, district or other unit of local government created pursuant to law that has a total population of 3,000 or less. In addition, the vehicle must be operated by an employee of that local government for the purpose of removing snow or ice from a roadway by plowing, sanding or salting. The exemption applies only when the employee who ordinarily operates the vehicle is unavailable or in need of additional assistance due to snow emergency. This bill does not affect the requirement that the customary operator of the vehicle have a commercial driver's license, nor does it affect other laws and rules concerning the safe operation of commercial vehicles.
9. Allows the State to comply with the anticipated federal enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. This Act requires, at a minimum, every applicant for a driver's license or other comparable identification document to submit the applicant's social security number and for the State to verify with the federal Social Security Administration that such number is valid.
10. Removes semitrailers from the endorsement fee. A special endorsement is not required for a semitrailer.
11. Requires a full-face digital image or a photographic image of the licensee to be displayed on a driver's license.
12. Clarifies that a \$3 fee is charged for a photographic or digitized driver's license.
13. Gives authority to the Secretary of State to capture, store, retrieve, reproduce and distribute the digital image and digital signature of the licensee.
14. Authorizes the Secretary of State to utilize codes on a license instead of a decal for organ donations.
15. Clarifies that an additional fee of \$3 is required for a photograph or digital image of the licensee.
16. Clarifies that when any change is made on photograph or digitized driver's license, that license, when issued, is considered a duplicate.
17. Makes it clear that a veteran must be permanently, 100% disabled to obtain a driver's license without paying a fee.
18. Enacts a law stating that the Secretary of State is responsible for the issuance of nondriver identification cards. In addition this bill gives authority to the Secretary of State to capture, store, retrieve, reproduce and distribute the digital image and digital signature of the nondriver identification card applicant. This bill also establishes an expiration date to ensure that an updated picture of the nondriver identification card holder is displayed on the document and requires social security number.
19. Removes the higher coverage from trailer and mobile home dealers and lowers the property damage limits from \$300,000 to \$100,000 for licensed vehicle dealers.
20. Requires that the multiple operating-under-the-influence offenders who wish to have their licenses reinstated early under the Ignition Interlock Device Program have automobile liability insurance. These increased limits would better protect the public in the event a program participant is involved in a motor vehicle accident.

21. Allows vanity plates to be issued for trucks registered up to 9,000 pounds gross vehicle weight and to semitrailers that do not exceed 2,000 pounds.
22. Allows a pickup truck with a semitrailer that has a registered weight of 2,000 pounds or less to be registered as a noncommercial vehicle, provided that the truck and trailer are used for noncommercial purposes.
23. Authorizes the Bureau of Motor Vehicles to require all motor carriers to display a United States Department of Transportation census number.
24. Requires a vehicle sold by a dealer to be accompanied by a certificate of title or salvage at the time of the vehicle's sale.
25. Clarifies that a mobile home dealer is not required to obtain heavy trailer dealer registration plates.
26. Provides licenses for automobile dealers to conduct operations and promotions at locations other than primary facilities.
27. Clarifies that a woods tractor that is exempt from the complete motor vehicle inspection requirements must be used solely for logging purposes.
28. Establishes that a person commits a Class E crime if that person knowingly disseminates information that is protected by state laws or rules that implement the Federal Driver's Privacy Protection Act of 1994.
29. Requires a person who seeks early reinstatement of a driver's license under the ignition interlock statutes to obtain an automobile insurance policy with \$300,000 limits for property damage and the injury or death of a person.

LD 1476

An Act Making Unified and Supplemental Appropriations and Allocations for the Expenditures of State Government, Highway Funds and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1998 and June 30, 1999

**PUBLIC 25
EMERGENCY**

Sponsor(s)
O'GARA
DRISCOLL

Committee Report
OTP-AM

Amendments Adopted
S-47

LD 1476 proposed to: Make allocations from the Highway Fund; make allocations from the Highway Fund representing reduction proposals or adjustments; amend the law to provide for the capitalization of the Local Road Assistance Program; make supplemental allocations from the Highway Fund; make supplemental allocations from the Federal Expenditures Fund; make supplemental allocations from the Other Special Revenue funds; make supplemental allocations from the Island Ferry Services Fund; make allocations from the Highway Fund for approved reclassifications and range changes; and make allocations from the Highway Fund as reductions to support approved reclassifications and range changes.

Committee Amendment "A" (S-47) proposed to clarify that only the Highway Fund allocations in Part A, section 1 are actually allocated. All other funds are provided for informational purposes only.