

# 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*

*Rep. Paul Chartrand*

*Rep. Charles D. Fisher*

*Rep. Gary J. Wheeler*

*Rep. David A. Lindahl*

*Rep. Dean F. Clukey*

*Rep. Steven M. Joyce*

*Rep. Christine R. Savage*

*Rep. Robert J. Winglass*

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**Maine State Legislature**

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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](http://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

from entrance to exit. The bill also proposed to require toll booth operators to say "thank you" when taking a toll or pass.

**LD 1659**                      **An Act Concerning the Disclosure of Motor Vehicle Records**                      **ONTP**

<u>Sponsor(s)</u> O'GARA		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1659 proposed to implement the provisions of the federal Driver's Privacy Protection Act of 1994, Public Law 103-202, which prohibits states from disclosing personal information contained in motor vehicle records except under certain circumstances. It would have prohibited the Bureau of Motor Vehicles from disclosing personal information except for use in connection with matters of motor vehicle or driver safety and theft; motor vehicle emissions; motor vehicle product alterations, recalls or advisories; performance monitoring of motor vehicles and dealers by motor vehicle manufacturers; and removal of nonowner records from the original owner records of motor vehicle manufacturers.

The bill also proposed penalties for unauthorized disclosure of personal information.

**LD 1660**                      **An Act to Amend the Motor Vehicle Laws Concerning Inspection Stations**                      **ONTP**

<u>Sponsor(s)</u> O'GARA		<u>Committee Report</u> ONTP      MAJ OTP-AM    MIN		<u>Amendments Adopted</u>
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LD 1660 proposed to amend the motor vehicle inspection laws by:

1. Establishing the Board of Maine Motor Vehicle Inspectors to assist the Chief of the State Police in the administration of the vehicle inspection laws.
2. Repealing the requirement that the catalytic converter and filler neck restriction be inspected and meet inspection standards.
3. Repealing the \$6 inspection fee and instead allow a station to charge for one-half hour of its posted labor rate.
4. Requiring that for a vehicle that does not pass inspection, the owner be given a defect report and the vehicle have placed on it a failure sticker. The owner would have one month to repair the defect that caused the vehicle to fail inspection.
5. Requiring all inspection mechanics to obtain Institute of Automotive Service Excellence, ASE, certification and to attend an inspection seminar. New applicants and mechanics renewing their certification would be required to have ASE certification. Currently certified inspection mechanics who do not have ASE certification would need to obtain certification by November 1, 1998.

6. Requiring inspection stations to obtain liability insurance, a sales tax registration certificate, and sufficient tools and personnel to repair all inspection defects except for body and collision work and glass replacement. An inspection station would be required to be open at least 35 hours per week.
7. Requiring that all fees generated from the inspection program in excess of the amount credited to the General Highway Fund in fiscal year 1995, \$1,476,959, be credited to and used by the Maine State Police to administer and enforce the motor vehicle inspection program.

**LD 1666**

**An Act Concerning the Authority of the Secretary of State to Suspend and Revoke Licenses and Privileges to Operate in Maine**

**PUBLIC 111  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LAWRENCE DONNELLY	OTP-AM	S-119

LD 1666 proposed to authorize the Secretary of State to suspend or revoke the licenses, certificates, decals or authority of separate legal entities, which are related as a result of common ownership or control, when one entity is issued a suspension or revocation.

**Committee Amendment "A" (S-119)** proposed to change the definition of related entities from the bill to include certain entities in which related individuals have a role in ownership, operation or control. The amendment also proposed to require that, when the Secretary of State's suspension or revocation of an entity is based on a recommendation of the Motor Carrier Review Board, the board must also make a recommendation on the suspension or revocation of related entities. The amendment also proposed to clarify that if an entity becomes a related entity or is created after the Secretary of State has made the decision to suspend or after the Motor Carrier Review Board makes its recommendation to suspend, the Secretary of State may immediately suspend the related entity.

***Enacted law summary***

Public Law 1997, chapter 111 authorizes the Secretary of State to suspend or revoke the licenses, certificates, decals or authority of separate legal entities, which are related as a result of common ownership or control, when one entity is issued a suspension or revocation. It also requires that, when the Secretary of State's suspension or revocation of an entity is based on a recommendation of the Motor Carrier Review Board, the board must also make a recommendation on the suspension or revocation of related entities. It also clarifies that if an entity becomes a related entity or is created after the Secretary of State has made the decision to suspend or after the Motor Carrier Review Board makes its recommendation to suspend, the Secretary of State may immediately suspend the related entity. This law is effective April 18, 1997.