

# MAINE STATE LEGISLATURE

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*State Of Maine  
121st Legislature*

*First Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Transportation*

*July 2003*

**Members:**

*Sen. Pamela Henderson Hatch, Chair  
Sen. Dennis S. Damon  
Sen. Christine R. Savage*

*Rep. Ronld E. Usher, Chair*

*Rep. Boyd P. Marley*

*Rep. Rosaire "Ross" Paradis, Jr.*

*Rep. Lisa T. Marrache*

*Rep. Sonya G. Sampson*

*Rep. Terrence P. McKenney*

*Rep. Ronald F. Collins*

*Rep. Deborah K. McNeil*

*Rep. Arlan R. Jodrey*

*Rep. William P. Browne*

**Staff:**

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# Maine State Legislature



## Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

### 121st Maine Legislature First Regular Session

#### Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint select committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. 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 considered by the committees. It is arranged alphabetically by committee name 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:

<i>CARRIED OVER PURSUANT TO HP 1212</i> .....	<i>Bills carried over to the 2<sup>nd</sup> 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 &amp; 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>NOT PROPERLY BEFORE THE BODY</i> .....	<i>Ruled out of order by the presiding officers; bill died</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>P&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PASSED</i> .....	<i>Joint Order passed in both bodies</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 that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

**David C. Elliott, Director**  
Offices located in Room 215 of the Cross Office Building

*Joint Standing Committee on Transportation*

**LD 155**                      **An Act to Allow a Business to Obtain a Municipal Permit for One Off-premises Business Advertising Sign**                      **CARRIED OVER**

<u>Sponsor(s)</u> DAVIS P		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 155 proposes to authorize municipalities to issue permits for off-site business advertising signs. It proposes to limit each business to one sign that may be placed only on private land within the municipality granting the permit and only with the permission of the landowner. It also proposes to prohibit the placement of more than one permitted sign on any one parcel of land. It further proposes certain size, style and placement requirements and allows municipalities to place other limitations on the signs, including charging permit fees.

**LD 172**                      **An Act To Improve Safety on the Maine Turnpike**                      **ONTP**

<u>Sponsor(s)</u> GAGNE-FRIEL BRYANT		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 172 proposed to prohibit a commercial motor vehicle from traveling in the far left lane on a multilane highway.

**LD 189**                      **An Act To Amend the Law Governing the Use of Seat Belts**                      **ONTP**

<u>Sponsor(s)</u> MCNEIL		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 189 proposed to repeal the current law that prohibits the enforcement of the seat belt law unless the driver has been stopped for a violation of a law other than failing to wear a seat belt.

**LD 192**                      **An Act to Prohibit the Use of a Handheld Cellular Telephone While Driving**                      **ONTP**

<u>Sponsor(s)</u> EDER		<u>Committee Report</u> ONTP                      MAJ OTP-AM                      MIN		<u>Amendments Adopted</u>
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LD 192 proposed to prohibit the use of a handheld cellular telephone while operating a motor vehicle. The bill also proposed to clarify that law enforcement officers, corrections officers, firefighters, drivers of authorized emergency vehicles, holders of commercial driver's licenses, public transit personnel, municipal public works personnel, Maine Turnpike Authority personnel and state transportation personnel, including all employees and contractors of the Department of Transportation, may use handheld cellular telephones while driving within the scope of their employment. The bill proposed to make the offense a traffic infraction.

## *Joint Standing Committee on Transportation*

**Committee Amendment "A" (H-288)**, the committee minority report, proposed to add definitions to clarify the meaning of terms used and add physicians to the list of people allowed to use a handheld mobile telephone when operating a motor vehicle within the scope of their employment. This amendment was not adopted.

**LD 197**

**An Act to Require Flashing Lights for Private Snow Plows**

**PUBLIC 209**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BENNETT P MARTIN	OTP-AM MAJ ONTP MIN	H-25

LD 197 proposed to require vehicles used for plowing snow on private ways to be equipped with a rotary amber flashing light.

**Committee Amendment "A" (H-25)**, the Committee majority report, proposed to replace the bill. The amendment proposed to reduce the minimum allowable candlepower of lights on vehicles used for plowing snow on private ways from 1,000,000 to 50 candlepower. The amendment also proposed to require that those vehicles use such a light whenever entering a public way while engaged in a plowing activity.

**House Amendment "A" to Committee Amendment "A" (H-59)** proposed to clarify that the lights are not required if a vehicle owner is plowing the owner's own driveway. (Not adopted)

**House Amendment "B" to Committee Amendment "A" (H-77)** proposed to specify that a violation of this provision may result only in an oral warning from a law enforcement officer and would prohibit a law enforcement officer from issuing a written warning or a traffic ticket to a person in violation of this provision. (Not adopted)

**House Amendment "C" to Committee Amendment "A" (H-78)** proposed to clarify that the lights are not required if the vehicle is being used for plowing for which the plow owner or operator is not receiving compensation. (Not adopted)

### *Enacted Law Summary*

Public Law 2003, chapter 209 reduces the minimum allowable candlepower of lights on vehicles used for plowing snow on private ways from 1,000,000 to 50 candlepower and requires that those vehicles use such a light whenever the vehicle enters a public way while engaged in a plowing activity.