

# 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*

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*Rep. Deborah K. McNeil*

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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 832**                      **An Act Clarifying State Financial Responsibility over State and State Aid Highways**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CROSTHWAITE GILMAN	ONTP	

LD 832 proposed to clarify that all costs of the construction, maintenance and repair of state or state aid highways are the responsibility of the Department of Transportation and may not be passed on to a local unit of government except with the agreement of the legislative body of that local unit.

**LD 836**                      **An Act To Prevent Distracted Driving**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MURPHY MAYO	OTP-AM      MAJ ONTP            MIN	

LD 836 proposed to prohibit a person from driving while distracted. The bill proposed to define driving while distracted as including, but not limited to, driving while using a cellular telephone, eating, reading or grooming. As proposed, a law enforcement officer could enforce this prohibition only if the officer had detained the operator of the motor vehicle for a violation of another law.

**Committee Amendment "A" (H-287)**, the committee majority report, proposed to replace the bill and proposed to provide definitions of "distracted driving" and "mobile telephone." The amendment also proposed to establish certain exceptions from the definition of "distracted driving." It also proposed to preempt municipal ordinances relating to the use of mobile telephones. The majority report was not adopted. (Not adopted)

**LD 837**                      **An Act To Enhance Enforcement of Safety Zone Laws**                      **PUBLIC 97**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BULL DAMON	OTP-AM	H-102

LD 837 proposed to add to the safety requirements governing drivers approaching or passing a stationary authorized emergency vehicle that is using an emergency light. It also proposed to make a violation of this provision a Class E crime.

**Committee Amendment "A" (H-102)** proposed to replace the bill and to institute a minimum fine of \$250 for failure to comply with safety requirements governing drivers approaching or passing a stationary authorized emergency vehicle that is using an emergency light.

## Joint Standing Committee on Transportation

### Enacted Law Summary

Public Law 2003, chapter 97 imposes a minimum fine of \$250 for failure to comply with safety requirements governing drivers approaching or passing a stationary authorized emergency vehicle that is using an emergency light.

**LD 839**                      **An Act To Create the Motor Vehicle Inspection Advisory Board**                      **ONTP**

<u>Sponsor(s)</u> MCKENNEY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 839 proposed to create the Motor Vehicle Inspection Advisory Board to assist and advise the Chief of the State Police on matters involving the inspection of motor vehicles in the State.

**LD 861**                      **Resolve, Directing the Department of Transportation To Erect Signs Identifying Bodies of Water Crossed**                      **ONTP**

<u>Sponsor(s)</u> SHIELDS SAVAGE		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 861 proposed to direct the Department of Transportation to begin erecting signs on bridges under the department's jurisdiction, identifying the bodies of water crossed.

**LD 862**                      **An Act Regulating the Use of Cellular Telephones by Juvenile Drivers**                      **ONTP**

<u>Sponsor(s)</u> MILLS J		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 862 proposed to prohibit a juvenile less than 18 years of age who is driving under an instruction permit from using a handheld cellular telephone while operating a motor vehicle. The bill also proposed to make that offense a traffic infraction and would impose a minimum fine of \$50 for the first violation and \$250 for a second or subsequent violation committed within one year of the first violation.