

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

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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).

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 2nd 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>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&S XXX</i>	<i>Chapter # of enacted Private & 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

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LD 1475 proposed to allow school buses to be equipped with a device that provides for alternate flashing of the headlights. The bill also proposed to require operators of school buses to keep the headlights and daytime running lights on at all times of operation. The bill further proposed to require that new school buses be equipped with daytime running lights.

LD 1499 **An Act To Require the Department of Transportation to Resume Maintenance of Clark's Cove Road** **ONTP**

<u>Sponsor(s)</u> HALL EARLE		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1499 proposed to require the Department of Transportation to maintain an approximately one-mile section of road in the town of South Bristol beginning at the intersection of Route 129 and Clark's Cove Road and continuing to the entrance of the University of Maine Darling Marine Center.

LD 1509 **An Act To Allow the Early Submission of an Application To Become Licensed as a Motor Vehicle Inspector** **PUBLIC 222**

<u>Sponsor(s)</u> THOMAS		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-243
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LD 1509 proposed to allow a person to apply for an inspection mechanic certificate up to 6 weeks prior to the applicant's 18th birthday. It would allow the Bureau of State Police to process the application and set a time for the applicant to be tested prior to the applicant's 18th birthday but would not allow the certificate to be issued until the applicant is 18 years of age.

Committee Amendment "A" (H-243) proposed to replace the bill and to allow a person to submit an application and complete testing for an inspection mechanic certificate up to 6 months prior to the applicant's 18th birthday but would not allow the certificate to be issued until the applicant is 18 years of age.

Enacted Law Summary

Public Law 2003, chapter 222 allows a person to submit an application and complete testing for an inspection mechanic certificate up to 6 months prior to the applicant's 18th birthday, but does not allow the Bureau of State Police to issue the certificate until the applicant is 18 years of age.

LD 1520 **An Act To Amend the Motor Vehicle Laws** **PUBLIC 340**

<u>Sponsor(s)</u> USHER HATCH PH		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-371
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LD 1520 proposed to amend the motor vehicle statutes as follows:

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1. Change an incorrect reference from the Commissioner of Public Safety to the Bureau of State Police in regard to rule-making authority;
2. Clarify the provisions regarding fog lights;
3. Define a "power booster system" and prohibits its use on a public way;
4. Require that the dump body of a dump truck either be lowered to the down position, locked or blocked in the up position when the dump truck is being repaired or when it is unattended;
5. Prohibit a motor vehicle operator from passing in the breakdown lane or on the shoulder of a limited-access highway;
6. Double the normal fine for speeding 20 or more miles over the maximum speed limit if a passenger in the vehicle was required to be transported in a child safety seat;
7. Allow for the submission of motor vehicle accident forms to the Chief of the State Police via electronic format; and
8. Repeal the prohibition against breaking the seal on a refrigerated load.

Committee Amendment "A" (H-371) proposed to change the designation of rules adopted by the Chief of the State Police and authorized under the Maine Revised Statutes, Title 29-A, section 1769 to routine technical rules. It proposed to change the definition of "power booster system" to "nitrous oxide system." It also proposed to allow a person to operate a motor vehicle with a nitrous oxide system on a public way if all canisters of nitrous oxide have been removed from the vehicle. It further proposed to strike language in the bill that would double the normal fine for speeding 20 or more miles over the maximum speed limit if a passenger in the speeding vehicle is required to be transported in a child safety seat.

Enacted Law Summary

Public Law 2003, chapter 340 amends the motor vehicle statutes as follows:

1. It changes an incorrect reference from the Commissioner of Public Safety to the Bureau of State Police in regard to rule-making authority;
2. It changes the designation of rules adopted by the Chief of the State Police and authorized under the Maine Revised Statutes, Title 29-A, section 1769 to routine technical rules;
3. It clarifies the provisions regarding fog lights;
4. It defines a "nitrous oxide system" and allows its use on a public way if all canisters of nitrous oxide have been removed from the motor vehicle;
5. It requires that the dump body of a dump truck either be lowered to the down position, locked or blocked in the up position when the dump truck is being repaired or when it is unattended;

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6. It prohibits a motor vehicle operator from passing in the breakdown lane or on the shoulder of a limited-access highway;
7. It allows for the submission of motor vehicle accident forms to the Chief of the State Police via electronic format; and
8. It repeals the prohibition against breaking the seal on a refrigerated load.

LD 1565 **An Act To Authorize a Pilot Project To Allow Commercial Vehicles at Canadian Weight Limits Access to the Woodland Commercial Park in Baileyville** **PUBLIC 362**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
USHER	OTP-AM MAJ	H-410
SHOREY	ONTP MIN	

LD 1565 proposed to authorize the Commissioner of Transportation to conduct a pilot project that would allow certain commercial vehicle configurations at Canadian weight limits to travel from the planned Calais - St. Stephen Bridge to the junction of U.S. Route 1 and U.S. Route 9 in Baileyville.

Committee Amendment "A" (H-410), the committee majority report, proposed to require trucks participating in the pilot project to display a credential obtained for a fee from the Secretary of State. The amendment also proposed to direct the Secretary of State to adopt routine technical rules to implement the credentialing process.

Enacted Law Summary

Public Law 2003, chapter 362 authorizes the Commissioner of Transportation to conduct a pilot project allowing certain commercial vehicle configurations at Canadian weight limits to travel from the planned Calais - St. Stephen Bridge to the junction of U.S. Route 1 and U.S. Route 9 in Baileyville. The law requires trucks participating in the pilot project to display a credential obtained for a fee from the Secretary of State. The law also directs the Secretary of State to adopt routine technical rules to implement the credentialing process.

LD 1590 **An Act To Amend the Motor Vehicle Laws** **PUBLIC 434
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HATCH PH	OTP-AM	S-237
USHER		

LD 1590 proposed to make the following changes to the motor vehicle laws:

1. Require manufacturers and distributors of motor vehicles to apply for a license for each franchise;
2. Require the Secretary of State to adopt rules establishing fees for records of databases pertaining to driver's licenses and motor vehicles and for the electronic transmittal of records;
3. Make sensitive records and information concerning information technology systems confidential;