

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

JOINT STANDING COMMITTEE ON TRANSPORTATION

May 2014

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STATE OF MAINE
126TH LEGISLATURE
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LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

The *Digest* is arranged within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

CARRIED OVER.....carried over to a subsequent session of the Legislature
CON RES XXX chapter # of constitutional resolution passed by both houses
CONF CMTE UNABLE TO AGREE..... Committee of Conference unable to agree; legislation died
DIED BETWEEN HOUSESHouse & Senate disagreed; legislation died
DIED IN CONCURRENCE defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT action incomplete when session ended; legislation died
EMERGENCYenacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE.....emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT.....legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW.....sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY.....ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX chapter # of enacted public Law
RESOLVE XXX chapter # of finally passed resolve
VETO SUSTAINED.....Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the Second Regular Session of the 126th Legislature is August 1, 2014. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

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political parties and at least one representative of a rail transit group to participate in council meetings. The amendment also clarifies the role of the council and changes the council's annual reporting requirement to a biennial requirement. Lastly, this amendment makes technical changes.

LD 1575 Resolve, Regarding Memorial Plaques Honoring Vietnam Veterans near RESOLVE 80
the Vietnam Veterans Memorial Bridge between Lewiston and Auburn

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRAVEN ROTUNDO		

This resolve was acted upon without reference to committee. This bill was enacted by the Legislature during the First Regular Session of the 126th and was held by the Governor; final disposition occurred at the beginning of the Second Regular Session.

This resolve requires the Department of Transportation, within existing resources, to remove existing plaques honoring Vietnam veterans on the Lewiston and Auburn approaches to the Vietnam Veterans Memorial Bridge, donate those plaques to the respective cities where they are currently located and procure and install new plaques that are similar to the existing plaques and have room for additional names. The new plaques may be maintained and updated by the respective cities where the plaques are installed.

Enacted Law Summary

Resolve 2013, chapter 80 requires the Department of Transportation, within existing resources, to remove existing plaques honoring Vietnam veterans on the Lewiston and Auburn approaches to the Vietnam Veterans Memorial Bridge, donate those plaques to the respective cities where they are currently located, procure and install new plaques that are similar in size and style to existing plaques and similar in location as the existing plaques, as long as the location does not present a safety concern for motorists and pedestrians and includes space for additional names. The new plaques may be maintained and updated by the respective cities where the plaques are installed.

LD 1585 Resolve, Regarding Legislative Review of Portions of Chapter 4: Maine RESOLVE 93
Motor Carrier Safety Regulation, a Major Substantive Rule of the EMERGENCY
Department of Public Safety, Bureau of State Police

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP	

This resolve provides for legislative review of portions of Chapter 4: Maine Motor Carrier Safety Regulation, a major substantive rule of the Department of Public Safety, Bureau of State Police. This rule was amended to incorporate by reference federal regulations that include a prohibition on text messaging and using a cell phone - unless hands-free-while operating a commercial motor vehicle. In addition, the rule now subjects intrastate motor carriers operating less than 100 air miles from their regular place of business to federal regulations which prohibit the operation of a commercial motor vehicle by a person who has methadone or its metabolite in their system.

Enacted Law Summary

Resolve 2013, chapter 93 finally adopts portions of Chapter 4: Maine Motor Carrier Safety Regulation, a major substantive rule of the Department of Public Safety, Bureau of State Police. This amended rule incorporates by reference federal regulations in 49 Code of Federal Regulations pertaining to motor carrier safety including a prohibition on text messaging and using a cell phone, unless hands-free, while operating a commercial motor vehicle. In addition, the rule now subjects intrastate motor carriers operating less than 100 air miles from their regular place of business to federal regulations which prohibit the operation of a commercial motor vehicle by a

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person who has methadone or its metabolite in their system.

Resolve 2013, chapter 93 was finally passed as an emergency measure effective March 18, 2014.

LD 1611 An Act Concerning Learner's Permits

PUBLIC 493

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PEOPLES	OTP-AM	H-653

This bill clarifies that the Secretary of State is the only entity allowed to collect and process applications and fees for a learner’s permit and the only entity that can administer any required examination for a learner’s permit.

Committee Amendment "A" (H-653)

This amendment replaces the bill and removes the emergency preamble and emergency clause. It creates a new learner's permit issuance subsection in law that identifies the Secretary of State as the only entity allowed to collect learner's permit fees and application materials, administer an examination for a learner's permit and issue a learner's permit. This amendment contains transition language that allows the Secretary of State or an individual affiliated with an approved driver education course to collect fees and application materials until October 1, 2014 and to administer exams until January 1, 2015.

Enacted Law Summary

Public Law 2013, chapter 493 requires all fees and any application materials for a learner’s permit are to be collected only by the Secretary of State. This law also limits the administration of any required examination for a learner’s permit to the Secretary of State. Lastly, this law authorizes only the Secretary of State to issue a learner’s permit.

This law allows the Secretary of State to authorize an individual affiliated with an approved driver education course to collect fees or application materials for a learner’s permit until October 1, 2014 and to administer any required examination for a learner’s permit until January 1, 2015.

LD 1645 An Act To Amend the Motor Vehicle Laws

PUBLIC 496

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAZUREK THERIAULT	OTP-AM	S-411

This bill makes the following changes to the motor vehicle laws.

1. It changes the definition of "bus" to be consistent with federal law.
2. It repeals the requirement that a vehicle registrant return that registrant's registration certificate to the Secretary of State upon the transfer of ownership of the vehicle.
3. It standardizes the language for vanity plates for environmental registration plates, sportsman registration plates, Purple Heart motorcycle registration plates and veterans’ registration plates to be the same as other vanity plates.
4. It restructures the law relative to the issuance of disability plates and placards and provides that disability plates and placards may be issued for up to six years.