

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
SECOND REGULAR SESSION



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

JOINT STANDING COMMITTEE ON TRANSPORTATION

May 2016

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STATE OF MAINE

127TH LEGISLATURE

SECOND REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the Second Regular Session of the 127th Maine Legislature.

The *Digest* is arranged alphabetically by committee and 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. An appendix provides a summary of relevant session statistics.

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 HOUSES..... House & 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
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or 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 First Regular Session of the 127th Legislature is July 29, 2016. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Transportation

This law also requires that the Department of Transportation adopt rules relating to the Maine State Ferry Service regarding customer service, training and transportation of medical samples. It requires the Department of Transportation to report on the progress of its rulemaking to the joint standing committee of the Legislature having jurisdiction over transportation matters no later than February 1, 2017.

LD 1483 **An Act To Amend Maine's Motor Vehicle Laws**

PUBLIC 473
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLLINS R MCLEAN A	OTP-AM	S-367 S-512 HAMPER J

This bill amends the motor vehicle laws as follows.

1. It clarifies that a combination vehicle may include a truck-trailer configuration.
2. It allows municipal agents to issue registrations for pickup trucks up to 10,000 pounds rather than the current 9,000-pound limit.
3. It amends the vehicle registration laws to require registration information on a motor vehicle's motive power for vehicles that do not use motor fuels, such as electric vehicles.
4. It makes clear that a registration plate may not be obscured by a plate frame or covering or other device that prevents the plate from being read.
5. It repeals the authorization for truck and truck tractor lobster registration plates and farm truck agriculture education registration plates.
6. It removes the word "commercial" from the laws regarding registration of trucks and truck tractors so as to include trucks and truck tractors that are used privately.
7. It removes an obsolete requirement that an agent who issues temporary registered gross weight increases be either a municipal tax collector or town or city manager.
8. It corrects a discrepancy regarding the maximum length of time for which a permanent disability parking placard may be issued. The limit is six years.
9. It requires antique autos and antique motorcycles manufactured after 1991 to be subject to a biennial inspection.
10. It removes the word "commercial" from the laws regarding the operation of a vehicle exceeding its registered weight.
11. It amends the definition of "related entity" to include a domestic partner in the provision regarding suspension or revocation of the license or authority to engage in a business or commercial activity under the motor vehicle major offenses laws.
12. It removes the requirement for a noncommercial driver education school to obtain a surety bond if the school offers driver education as a course credit and does not charge a fee for the driver education course.
13. It repeals the provision of law that allows a person who is at least 15 years of age to obtain a special restricted license under certain conditions without having held a permit for a period of six months.

Joint Standing Committee on Transportation

14. It changes the motorcycle driver education requirement from an eight-hour block of instruction to classroom and hands-on instruction.

Committee Amendment "A" (S-367)

This amendment strikes the provision of the bill that clarifies that a registration plate may not be obscured by a plate frame or covering or other device that prevents the plate from being read visually or electronically.

The amendment strikes from the bill the repeal of the provision of law that allows a person who has reached 15 years of age to obtain a special restricted license based on educational, employment or medical need without having held a learner's permit for a period of six months. Under current law, a person who is 15 years of age to 20 years of age can obtain a special restricted license. The amendment instead limits the special restricted license only to a person who is 15 years of age.

Current law provides that a person seeking to qualify for a special restricted license based on educational or employment need must complete a minimum of 70 hours of driving, including 10 hours of night driving. The amendment increases the minimum driving time required of a person who is seeking to qualify for a special restricted license based on medical need from 35 hours to 70 hours, including 10 hours of night driving instead of the current five hours. The amendment gives the Secretary of State discretion to reduce the required minimum hours of driving for a person seeking to qualify for a special restricted license based on medical need.

The amendment also strikes from the bill the provisions that require antique autos and antique motorcycles manufactured after 1991 to be subject to biennial inspection.

The amendment strikes the requirement in current law that the Secretary of State may not issue a certificate of title or certificate of salvage for a vehicle reported stolen or converted until the Secretary of State learns of that vehicle's recovery or that the report of theft or conversion was erroneous. This is an obsolete requirement as the Department of the Secretary of State, Bureau of Motor Vehicles works with insurance companies and salvage companies when issuing certificates on vehicles reported stolen.

The amendment changes the year the Department of Transportation is reviewed pursuant to the State Government Evaluation Act from 2015 to 2017.

Current law provides that the excise tax on a motor vehicle owned by a nonresident with no temporary or occasional residing place in the State must be paid to the Secretary of State. This amendment provides that the excise tax paid to the Secretary of State by a nonresident with no temporary or occasional residing place in the State must be credited to the Highway Fund.

The amendment clarifies that the term "IFTA governing documents" under the Special Fuel Tax Act refers to International Fuel Tax Agreement documents amended as of July 15, 2015 rather than December 31, 2011.

The amendment also adds an appropriations and allocations section and an emergency preamble and emergency clause.

Senate Amendment "A" To Committee Amendment "A" (S-512)

This amendment amends Committee Amendment "A" to remove the section that provides that the excise tax paid to the Secretary of State by a nonresident with no temporary or occasional residing place in the State must be credited to the Highway Fund.

Enacted Law Summary

Joint Standing Committee on Transportation

Public Law 2015, chapter 473 does the following.

1. It clarifies that a combination vehicle may include a truck-trailer configuration.
2. It allows municipal agents to issue registrations for pickup trucks up to 10,000 pounds rather than the current 9,000-pound limit.
3. It amends the vehicle registration laws to require registration information on a motor vehicle's motive power for vehicles that do not use motor fuels, such as electric vehicles.
4. It repeals the authorization for truck and truck tractor lobster registration plates and farm truck agriculture education registration plates.
5. It removes the word "commercial" from the laws regarding registration of trucks and truck tractors so as to include trucks and truck tractors that are used privately.
6. It removes an obsolete requirement that an agent who issues temporary registered gross weight increases be either a municipal tax collector or town or city manager.
7. It corrects a discrepancy regarding the maximum length of time for which a permanent disability parking placard may be issued. The limit is six years.
8. It removes the word "commercial" from the laws regarding the operation of a vehicle exceeding its registered weight.
9. It amends the definition of "related entity" to include a domestic partner in the provision regarding suspension or revocation of the license or authority to engage in a business or commercial activity under the motor vehicle major offenses laws.
10. It removes the requirement for a noncommercial driver education school to obtain a surety bond if the school offers driver education as a course credit and does not charge a fee for the driver education course.
11. It provides that only a person who is 15 years of age may obtain a special restricted license based on educational, employment or medical need without having held a learner's permit for a period of six months.
12. It increases the minimum driving time required of a person who is seeking to qualify for a special restricted license based on medical need to 70 hours of driving, including 10 hours of night driving. The law also gives the Secretary of State discretion to reduce the required minimum hours of driving for a person seeking to qualify for a special restricted license based on medical need.
13. It changes the motorcycle driver education requirement from an eight-hour block of instruction to classroom and hands-on instruction.
14. It strikes the requirement that the Secretary of State may not issue a certificate of title or certificate of salvage for a vehicle reported stolen or converted until the Secretary of State learns of that vehicle's recovery or that the report of theft or conversion was erroneous.
15. It changes the year the Department of Transportation is reviewed pursuant to the State Government Evaluation Act from 2015 to 2017.
16. It clarifies that the term "IFTA governing documents" under the Special Fuel Tax Act refers to International Fuel Tax Agreement documents amended as of July 15, 2015 rather than December 31, 2011.

Joint Standing Committee on Transportation

Public Law 2015, chapter 473 was enacted as an emergency measure effective April 15, 2016.

LD 1507 An Act To Authorize a Person Whose Operator's License Is Suspended Due to Failure To Pay Child Support To Drive to and from a Place of Employment ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KINNEY M EDGECOMB P	ONTP	

Current law requires the Secretary of State to suspend the driver's license of a person who violates a court order of financial support upon certification of that violation by the Commissioner of Health and Human Services. A person may request the commissioner issue a conditional release to the Secretary of State, who may provide the person with a temporary license valid for a period not to exceed 120 days.

This bill allows a person to request a work-restricted license, similar to that issued when a person has been convicted of operating under the influence, to allow the person to operate a motor vehicle between the person's residence and a place of employment or in the scope of employment, or both. The work-restricted license may be issued only if there is no other means of transportation available to the person and the person's license to operate has not been suspended for operating under the influence within the prior 10-year period.

LD 1546 An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2017 P & S 15

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-518

This bill makes allocations from gross revenues of the Maine Turnpike Authority for the payment of the authority's operating expenses for the calendar year ending December 31, 2017 in accordance with the requirements of the Maine Revised Statutes, Title 23, section 1961, subsection 6.

Committee Amendment "A" (H-518)

This amendment incorporates a fiscal note.

Enacted Law Summary

Private and Special Law 2015, chapter 15 makes allocations from gross revenues of the Maine Turnpike Authority for the payment of the authority's operating expenses for the calendar year ending December 31, 2017 in accordance with the requirements of the Maine Revised Statutes, Title 23, section 1961, subsection 6.

LD 1567 An Act To Amend the Laws Regarding the Operation of an All-terrain Vehicle or Snowmobile on a Controlled Access Highway PUBLIC 413 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAUCIER R PATRICK J	OTP-AM	H-541