

MAINE STATE LEGISLATURE

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1 (EMERGENCY)
2 SECOND REGULAR SESSION
3

4 ONE HUNDRED AND TWELFTH LEGISLATURE
5

6 Legislative Document

No. 2314

7
8 S.P. 927

In Senate, April 1, 1986

9 Submitted by the Department of Transportation pursuant to Joint Rule
10 24.

11 Referred to the Committee on Transportation and ordered printed. Sent
down for concurrence.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Dow of Kennebec.

Cosponsored by Representative Pouliot of Lewiston.

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13 STATE OF MAINE
14

15 IN THE YEAR OF OUR LORD
16 NINETEEN HUNDRED AND EIGHTY-SIX
17

18 Resolve, Authorizing the Commissioner of
19 Transportation to Issue Temporary
20 Experimental Vehicle Permits on a
21 Limited Basis under Strictly
22 Controlled Conditions.
23

24 Emergency preamble. Whereas, Acts and resolves of
25 the Legislature do not become effective until 90 days
26 after adjournment unless enacted as emergencies; and

27 Whereas, a recommendation of the current truck
28 issues study addresses the desirability of operation-
29 al testing of experimental vehicles over any way or
30 bridge maintained by the Department of Transporta-
31 tion; and

32 Whereas, both the Department of Transportation
33 and the trucking industry appear to be favorably in-
34 clined to such a possibility; and

35 Whereas, greater productivity for the highway us-
36 er is a potential benefit of such a program; and

1 Whereas, added protection and preservation of the
2 highway system is a potential benefit of such a pro-
3 gram; and

4 Whereas, this testing must be strictly controlled
5 and documented; and

6 Whereas, the Maine Revised Statutes, Title 23,
7 section 4206, subsection 8, grants the Commissioner
8 of Transportation general powers commensurate with
9 the intent and spirit of this resolve; and

10 Whereas, in the judgment of the Legislature,
11 these facts create an emergency within the meaning of
12 the Constitution of Maine and require the following
13 legislation as immediately necessary for the preser-
14 vation of the public peace, health and safety; now,
15 therefore, be it

16 Temporary experimental vehicle permits estab-
17 lished. Resolved: That the Commissioner of Transpor-
18 tation, with the advice of the Commissioner of Public
19 Safety and the Director of Motor Vehicles, establish
20 a program providing for the issuance of temporary ex-
21 perimental vehicle permits on a discretionary basis,
22 each for a period not exceeding 2 years, upon proper
23 application in writing from a trucker representing a
24 significant sector of the trucking industry. The per-
25 mits are to provide for the operation and the evalua-
26 tion of the operation of experimental vehicles which
27 have a length, width, height, weight and other condi-
28 tions beyond that specified in the Maine Revised
29 Statutes, Title 29, over any nonlimited way or bridge
30 maintained by the Department of Transportation. These
31 permits shall carry no fee. Registration shall be as-
32 sessed for the applicable road limit exclusive of
33 general or special commodity permits, despite ex-
34 pected operation beyond these limits, in an experi-
35 mental mode. Multistate experiments are to be encour-
36 aged. Registration in another state in the context of
37 a regional multistate experiment will be honored
38 without the necessity of acquiring a Maine registra-
39 tion. These permits shall only be granted within the
40 context of a structured joint industry-government
41 evaluation program, including preparatory off-road
42 performance tests, strictly controlled operational
43 testing on the highway system and both in-process and

1 final evaluation reports covering productivity, oper-
2 ating characteristics and safety. Additional reports
3 may be required by the commissioner if deemed neces-
4 sary during the experimental phase. The Commissioner
5 of Transportation shall issue these permits on a lim-
6 ited basis and only if he judges that a significant
7 potential exists for increased productivity without
8 undue compromise in safety by the eventual legal gen-
9 eral operation of the experimental vehicle, without
10 permit, on the highway system. No commitment to that
11 eventual operation is implied by the issuance of the
12 temporary experimental vehicle permit. The Commis-
13 sioner of Transportation shall ratify, at his discre-
14 tion, all conditions of the experimental programs
15 proposed, including, but not limited to, preparatory
16 off-road vehicle tests, time limits, vehicle dimen-
17 sions, axle and gross weight limits, routing, insur-
18 ance and reporting provisions. The commissioner may
19 terminate any evaluation at any time if in his judg-
20 ment the operation of the vehicle poses an undue
21 threat to public safety or the integrity of the high-
22 way system or if the conditions of the permit are vi-
23 olated; and be it further

24 **Report required. Resolved:** That the commissioner
25 shall submit a report biennially to the joint stand-
26 ing committee of the Legislature having jurisdiction
27 over transportation before the First Regular Session
28 of the 113th Legislature. This report shall discuss
29 the progress of any experimental vehicle evaluations
30 and contain recommendations, if any, for legislation
31 leading to their eventual general use on the highway
32 system.

33 **Emergency clause.** In view of the emergency cited
34 in the preamble, this resolve shall take effect when
35 approved.

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STATEMENT OF FACT

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This resolve authorizes the Commissioner of Transportation to issue temporary experimental vehicle permits on a limited basis under strictly controlled conditions.

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