

# MAINE STATE LEGISLATURE

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L.D. 22

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**TRANSPORTATION**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
117TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 28, L.D. 22, Bill, "An Act to Decrease the Minimum Required Amount of Liability Insurance for Certain Intrastate Vehicles"

Amend the bill by striking everything after the title and before the statement of fact and inserting in its place the following:

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

Whereas, current liability requirements are cost prohibitive for many users of explosives; and

Whereas, the construction season will soon begin; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 25 MRSA §2110 is enacted to read:**

**§2110. Financial responsibility**

**1. Requirement.** A person who transports a division 1.1, 1.2 or 1.3 explosive intrastate in a vehicle with a gross vehicle weight rating of less than 10,000 pounds shall maintain a financial responsibility policy of liability insurance or a

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COMMITTEE AMENDMENT "A" to H.P. 28, L.D. 22

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surety bond in an amount of not less than \$1,000,000. The Commissioner of Public Safety may not adopt a rule requiring a person transporting a division 1.1, 1.2 or 1.3 explosive intrastate in a vehicle with a gross vehicle weight rating of less than 10,000 pounds to maintain a financial responsibility policy of liability insurance or a surety bond in excess of \$1,000,000.

For purposes of this section, division 1.1, 1.2 and 1.3 explosives have the same meanings as found in 49 Code of Federal Regulations, Part 173.50.

2. Exception. This section does not apply to a farmer who transports a division 1.1, 1.2 or 1.3 explosive for the farmer's own use to and from the farm or field within a 20-mile radius.

**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.'

Further amend the bill by inserting at the end before the statement of fact the following:

**FISCAL NOTE**

The Department of Public Safety will incur some minor additional costs to adopt rules. These costs can be absorbed within the Department of Public Safety's existing budgeted resources.'

**STATEMENT OF FACT**

The amendment replaces the original bill.

The amendment requires a person transporting explosives intrastate in a vehicle of less than 10,000 pounds to have liability coverage of at least \$1,000,000. It prohibits the Commissioner of Public Safety from adopting a rule requiring liability insurance for these vehicles in excess of \$1,000,000. Farmers using explosives for their own use are exempt. It also adds an emergency and a fiscal note.