

MAINE STATE LEGISLATURE

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Date: 4/4/6
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(Filing No. H- 942)

3 **Transportation**

4 Reproduced and distributed under the direction of the Clerk of the House.

5 **STATE OF MAINE**
6 **HOUSE OF REPRESENTATIVES**
7 **122ND LEGISLATURE**
8 **SECOND REGULAR SESSION**

9 COMMITTEE AMENDMENT "A" to H.P. 1454, L.D. 2058, Bill, "An Act To
10 Allow Heavy Equipment To Be Moved during Nighttime"

11 Amend the bill by striking out the title and substituting the following:

12 **'Resolve, Authorizing a Pilot Project To Allow Timber Harvesting**
13 **Equipment To Be Moved during Nighttime'**

14 Further amend the bill by striking out everything after the title and before the
15 summary and inserting in its place the following:

16 **'Sec. 1. Pilot project to allow timber harvesting equipment to be moved**
17 **during nighttime. Resolved:** That the Secretary of State, in consultation with the
18 Commissioner of Transportation and the Chief of the State Police, shall conduct a pilot
19 project that grants overlimit movement permits pursuant to the Maine Revised Statutes,
20 Title 29-A, section 2382 for the transport of timber harvesting equipment by another
21 vehicle between midnight and sunrise during the months of March and April over a way
22 or bridge maintained by the Department of Transportation. This pilot project must
23 include the conditions that:

24 1. The air temperature is 32 degrees Fahrenheit or lower and the ground is solidly
25 frozen with no standing water;

26 2. The width of the load does not exceed 11 feet, 6 inches and the length does not
27 exceed 75 feet;

28 3. Two qualified pilot vehicles escort the overlimit load with one preceding the
29 overlimit load and the other following;

30 4. Two-way mobile communication is maintained between the pilot vehicles and the
31 overlimit load vehicle; and

32 5. The overlimit load displays flashing amber beacons at the extremes of the load in
33 the place of or in addition to flags.

34 The pilot project must allow the Commissioner of Transportation, acting on the
35 advice of the Chief of the State Police, to prohibit the nighttime movement of such loads

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to H.P. 1454, L.D. 2058

1 on particular sections of highway if such movement would create an unacceptable risk to
2 public safety; and be it further

3 **Sec. 2. Rules. Resolved:** That the Secretary of State may adopt rules to
4 implement the pilot project under section 1. Rules adopted pursuant to this resolve are
5 routine technical rules pursuant to the Maine Revised Statutes, Title 5, chapter 375,
6 subchapter 2-A; and be it further

7 **Sec. 3. Report. Resolved:** That the Secretary of State, in consultation with the
8 Commissioner of Transportation and the Chief of the State Police, shall submit a report to
9 the joint standing committee of the Legislature having jurisdiction over transportation
10 matters no later than the first business day in February 2009. The report must include the
11 status of the pilot project under section 1 and recommendations for continuance,
12 discontinuance or modification of the pilot project's terms. After reviewing the report,
13 the joint standing committee of the Legislature having jurisdiction over transportation
14 matters may report out legislation to the First Regular Session of the 124th Legislature
15 concerning the subject matter of this resolve; and be it further

16 **Sec. 4. Repeal. Resolved:** That this resolve is repealed 90 days after the
17 adjournment of the First Regular Session of the 124th Legislature.

18 **SUMMARY**

19 This amendment, which replaces the bill with a resolve, directs the Secretary of State,
20 in consultation with the Commissioner of Transportation and the Chief of the State
21 Police, to conduct a pilot project that allows permits for the transport of timber harvesting
22 equipment by another vehicle between midnight and sunrise during the months of March
23 and April over a way or bridge maintained by the Department of Transportation if certain
24 conditions are met. The amendment also requires the Secretary of State to submit a
25 report to the joint standing committee of the Legislature having jurisdiction over
26 transportation matters no later than the first business day in February 2009. The
27 amendment gives the joint standing committee of the Legislature having jurisdiction over
28 transportation matters authority to report out legislation during the First Regular Session
29 of the 124th Legislature. The amendment repeals the pilot project 90 days after the
30 adjournment of the First Regular Session of the 124th Legislature.

FISCAL NOTE REQUIRED
(See attached)



Approved: 04/03/06 *mac*

122nd MAINE LEGISLATURE

LD 2058

LR 3149(02)

An Act To Allow Heavy Equipment To Be Moved during Nighttime

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Transportation

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - Highway Fund