MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

SECOND REGULAR SESSION-2012

Legislative Document

No. 1617

S.P. 527

In Senate, December 20, 2011

An Act To Ensure the Alignment of Truck Weight Limitations on the Interstate with Those Allowed under Federal Law

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 16, 2011. Referred to the Committee on Transportation pursuant to Joint Rule 308.2 and ordered printed.

Joseph G. Carleton Jr.

JOSEPH G. CARLETON, JR. Secretary of the Senate

Presented by Senator SCHNEIDER of Penobscot.

Cosponsored by President RAYE of Washington, Senator COLLINS of York and Senators: COURTNEY of York, DIAMOND of Cumberland, KATZ of Kennebec, LANGLEY of Hancock, PATRICK of Oxford, PLOWMAN of Penobscot, SHERMAN of Aroostook, THIBODEAU of Waldo, THOMAS of Somerset, Representatives: AYOTTE of Caswell, BURNS of Whiting, CAIN of Orono, CRAY of Palmyra, CUSHING of Hampden, DAVIS of Sangerville, DUCHESNE of Hudson, FREDETTE of Newport, HARMON of Palermo, LUCHINI of Ellsworth, MAKER of Calais, MARTIN of Eagle Lake, MAZUREK of Rockland, PEOPLES of Westbrook, RICHARDSON of Carmel, STEVENS of Bangor, THERIAULT of Madawaska, TIMBERLAKE of Turner, TURNER of Burlington, WALLACE of Dexter, WILLETTE of Mapleton.

1 2	Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and
3 4 5	Whereas, federal law has been enacted to allow vehicles up to 100,000 pounds gross vehicle weight on all of the interstate system in the State for a period of 20 years; and
6 7	Whereas, in order to ensure that Maine is in conformity with the federal law, this legislation provides rule-making authority to the Commissioner of Transportation; and
8 9 10	Whereas, allowing heavier vehicles to travel on the interstate system in the State rather than on local roads promotes safety, reduces pollution and allows for more cost-effective commercial transportation; and
11 12 13 14	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,
15	Be it enacted by the People of the State of Maine as follows:
16 17	Sec. 1. 29-A MRSA §2355-A, as enacted by PL 2009, c. 469, §1 and affected by §2, is amended to read:
18	§2355-A. Six-axle truck weight exemption
19 20 21 22 23 24 25	Notwithstanding any other provision of this subchapter to the contrary, for as long as the provisions of 23 United States Code, Section 127 (a) (11) affording an exemption from the federal vehicle weight limitations for vehicles operating on all portions of the interstate system are in effect, a 6-axle combination vehicle consisting of a 3-axle truck tractor with a tri-axle semitrailer having a maximum gross vehicle weight of 100,000 pounds may be operated on any portion of the interstate system consistent with this subchapter as it applies to the Maine Turnpike.
26 27 28	The Commissioner of Transportation may adopt routine technical rules, as defined in Title 5, chapter 375, subchapter 2-A, to ensure the implementation of the provisions of this section.
29 30	For the purposes of this section, "interstate system" has the same meaning as in Title 23, section 1903, subsection 3.
31 32	Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.
33	SUMMARY
34 35 36	This bill allows the Commissioner of Transportation to adopt rules to ensure that the federal exemption allowing trucks with a maximum gross vehicle weight of 100,000 pounds on Maine's interstate system is implemented correctly.