

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWELFTH LEGISLATURE

SECOND REGULAR SESSION
January 8, 1986 to April 16, 1986

SECOND SPECIAL SESSION
May 28, 1986 to May 30, 1986

AND AT THE

THIRD SPECIAL SESSION
October 17, 1986

PUBLISHED BY THE DIRECTOR OF REVISOR OF STATUTES IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Co., Inc.
Augusta, Maine

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND TWELFTH LEGISLATURE
1985

The Joint Standing Committee on Utilities shall submit the committee's findings and recommendations to the First Regular Session of the 113th Legislature on December 3, 1986, together with any proposed legislation. Staff assistance to the joint standing committee shall be requested from the Legislative Council.

Funding shall be provided from the Legislative Account as approved by the Legislative Council.

The Public Utilities Commission, with the assistance of the Office of Energy Resources and the Public Advocate, is directed to prepare a factual report to assist the Joint Standing Committee on Utilities in this study. In preparing the report, the commission shall consult with representatives of interested parties, including industrial firms, businesses, customers, residential customers, elderly and low-income groups, electric utilities, cogenerators and small power producers. The report shall be submitted to the Joint Standing Committee on Utilities by November 1, 1986.

Effective July 16, 1986.

CHAPTER 741

S.P. 927 - L.D. 2314

**AN ACT to Authorize the Commissioner of
Transportation to Issue
Experimental Vehicle Permits on a
Limited Basis under Strictly
Controlled Conditions.**

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

Whereas, a recommendation of the current truck issues study addresses the desirability of operational testing of experimental vehicles over any way or bridge maintained by the Department of Transportation; and

Whereas, both the Department of Transportation and the trucking industry appear to be favorably inclined to such a possibility; and

Whereas, greater productivity for the highway user is a potential benefit of such a program; and

Whereas, added protection and preservation of the highway system is a potential benefit of such a program; and

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

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

23 MRSA §4206, subsection 9 is enacted to read:

9. Experimental vehicle permits. The Commissioner of Transportation, with the advice of the Commissioner of Public Safety and the Director of Motor Vehicles, may establish a program providing for the issuance of temporary experimental vehicle permits on a discretionary basis, each for a period not exceeding 2 years, upon proper application in writing from a trucker representing a significant sector of the trucking industry. The permits are to provide for the operation and the evaluation of the operation of experimental vehicles which have a length, width, height, weight and other conditions beyond that specified in Title 29, over any nonlimited way or bridge maintained by the Department of Transportation. These permits shall carry no fee. Registration shall be assessed for the applicable road limit exclusive of general or special commodity permits, despite expected operation beyond these limits, in an experimental mode. Multistate experiments are to be encouraged. Registration in another state in the context of a regional multistate experiment will be honored without the necessity of acquiring a Maine registration. These permits shall only be granted within the context of a structured joint industry-government evaluation program, including preparatory off-road performance tests, strictly controlled operational

testing on the highway system and both in-process and final evaluation reports covering productivity, operating characteristics and safety. Additional reports may be required by the commissioner if deemed necessary during the experimental phase. The Commissioner of Transportation shall issue these permits on a limited basis and only if he judges that a significant potential exists for increased productivity without undue compromise in safety by the eventual legal general operation of the experimental vehicle, without permit, on the highway system. No commitment to that eventual operation is implied by the issuance of the temporary experimental vehicle permit. The Commissioner of Transportation shall ratify, at his discretion, all conditions of the experimental programs proposed, including, but not limited to, preparatory off-road vehicle tests, time limits, vehicle dimensions, axle and gross weight limits, routing, insurance and reporting provisions. The commissioner may terminate any evaluation at any time if in his judgment the operation of the vehicle poses an undue threat to public safety or the integrity of the highway system or if the conditions of the permit are violated.

The commissioner shall submit a report biennially to the joint standing committee of the Legislature having jurisdiction over transportation before the first regular session of each Legislature. This report shall discuss the progress of any experimental vehicle evaluations and contain recommendations, if any, for legislation leading to their eventual general use on the highway system.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective April 18, 1986.

CHAPTER 742

H.P. 1677 - L.D. 2363

AN ACT to Authorize Certified Law Enforcement Officers to Prosecute Violations of Municipal Ordinances.

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