

MAINE STATE LEGISLATURE

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**STATE OF MAINE
113TH LEGISLATURE
SECOND REGULAR SESSION**



**BILL SUMMARY
JOINT STANDING COMMITTEE
ON
TRANSPORTATION**

MAY 1988

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Sen. Raynold Theriault
Sen. Pamela L. Cahill

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Rep. Harold M. Macomber
Rep. Roger M. Pouliot
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Rep. Orland G. McPherson
Rep. Daniel J. Callahan
Rep. Roland S. Salsbury, Jr.

*** Denotes Chair**

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**ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST & SECOND SPECIAL SESSIONS
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES
MAY 1988**

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The summaries are arranged by LD number under each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action is listed to the right of the title. If final House and Senate action differ, both are listed. Committee Reports and Floor Action are indicated as follows::

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-A	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

Each individual summary was prepared by the analyst assigned, as noted for each committee. But, this document was produced by the efforts of all the office staff, including Secretaries: Charlene Brann, Janet Jean, Earl Knox, Valarie Parlin; Research Assistant Hartley Palleschi. Finally, Secretary Laurette Knox, Legal Assistant Carolyn Chick, and Research Assistant Robert Dunn had special responsibilities in the preparation of the overall document.

Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.

\$7156 provides for employee protection in a manner similar to the Railroad Employee Equity Act (Title 26, Chapter 27) in any sale or lease of a line acquired or operated under this chapter.

The bill as amended has no net fiscal impact, since any acquisition would be subject to sufficient funds being made available by further legislation and there is a requirement that all costs of acquisition be recovered by the State.

LD An Act Pertaining to Radar Detectors
2366

INDEF PP

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
SMITH SOUCY COLLINS		

SUMMARY
ND Min Rpt of 2019

This new draft prohibits the operation of a motor vehicle which is equipped with a radar detector, unless the radar detector is not readily accessible for use by the operator or passengers. The detectors could be taken by law enforcement officers as evidence, but would have to be returned.

The new draft also allocates \$25,000 from the Highway Fund for signs at the State border to warn incoming traffic of the radar ban.

LD An Act to Regulate Development Along Highways
2389

LV/WD

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
SIMPSON DOW MCPHERSON HOLLOWAY	LV/WD	

SUMMARY
Under present law construction or modification of a driveway, entrance or approach within the right-of-way of a state or state-aid highway requires a permit from DOT, or if in the compact section, from the municipality. Reasonable access to property abutting the highway may not be denied except for limited access highways.

The bill adds increased regulation of access to state designated controlled access highways, in order to protect health, safety and welfare and maintain smooth traffic flow. The DOT would adopt a state highway access code, by rule, to be submitted to the Legislative Council by June 30, 1989. New driveways would have to conform to that code and require a permit from the municipality or the county and approval of DOT.

The bill would require an allocation from the Highway Fund to DOT of \$35,000 for a staff attorney and \$363,000 for 10 engineer and technician positions.

LD An Act to Permit Exempt Railroad Crossings (Reported ONTP
2398 Pursuant to Public Law 1987, Chapter 5)

<u>SPONSOR(S)</u>	<u>COMMITTEE</u>	<u>REPORT</u>	<u>AMENDMENTS ADOPTED</u>
	ONTP		

SUMMARY

This bill is submitted for the Task Force on Railroads and is the same as LD 2219 except for minor differences in wording. (See LD 2219)

LD An Act to Revise the Laws Concerning Cost Sharing for PUBLIC
2399 Maintenance of Railroad Grade and Highway Bridge Crossings 657
(Reported Pursuant to Public Law 1987, Chapter 5)

<u>SPONSOR(S)</u>	<u>COMMITTEE</u>	<u>REPORT</u>	<u>AMENDMENTS ADOPTED</u>
	OTP		

SUMMARY

This bill was presented for the Legislative Task Force on Railroads to address the state cost-sharing program for maintenance of railroad crossings. It changes the basis of reimbursement to reflect a railroad company's actual average costs as reported the previous year up to a specific annual dollar amount of \$1,500 for crossings and \$2,500 for bridges. Present law bases the reimbursement on an estimate the 1983 average maintenance cost adjusted by the Consumer Price Index. The bill adds a provision allowing the department to make reimbursement contingent on railroad compliance with specific requests of the department and adds a provision allowing the department to contract with other entities to assure that necessary crossing maintenance is done.

LD An Act to Provide the Capability to Assess the Impact of ONTP
2400 Overweight Trucks on Maine Highways (Reported Pursuant to
Public Law 1987, Chapter 5)

<u>SPONSOR(S)</u>	<u>COMMITTEE</u>	<u>REPORT</u>	<u>AMENDMENTS ADOPTED</u>
	ONTP	MAJ	
	OTP-AM	MIN	

SUMMARY

This bill was presented for the Legislative Task Force on Railroads. It requires DOT to collect and analyze data on overweight trucks annually and to make recommendations to the Legislature on how to reduce the number of violations. Any person who weighs and keeps a record of the vehicle before or after unloading would have to keep those records for 30 days, for inspection by any law enforcement officer but only for purposes of preparing the "overweight report".