

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
114TH LEGISLATURE  
FIRST REGULAR SESSION



BILL SUMMARY  
JOINT STANDING COMMITTEE  
ON  
TRANSPORTATION

JULY 1989

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ONE HUNDRED AND FOURTEENTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE  
BILL SUMMARIES  
AUGUST 1989

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 for 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 abbreviated 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 Research Assistant Barbara McGinn, and secretaries: Charlene Brann, and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

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

SPONSOR(S)  
NORTON  
WEYMOUTH

COMMITTEE REPORT  
LV/WD

AMENDMENTS ADOPTED

SUMMARY

This resolve requires the Department of Transportation to install and maintain a standard traffic light at the intersection of Routes 17 and 41 in Readfield.

SPONSOR(S)  
TWITCHELL  
POULIOT  
STROUT D  
MACOMBER

COMMITTEE REPORT  
OTP-AM

AMENDMENTS ADOPTED  
S-311

SUMMARY

This bill is intended to bring the State into compliance with the Federal Commercial Motor Vehicle Safety Act of 1986 (P.L. 99-570, Title XII)

CA (S-311) This amendment replaces the bill but maintains the same central purpose: to bring the State into compliance with the Federal Motor Vehicle Safety Act of 1986 (PL 99-570, Title XII) which established national standards for commercial drivers licenses. Failure to comply with the federal law will result in the following:

1. Effective April 1, 1992, Maine-licensed commercial motor vehicle operators will be prohibited from operating beyond the state boundaries.
2. Effective October 1, 1993, the State will lose 5% of its federal highway funds.
3. Effective October 1, 1994, the State will lost 10% of its federal highway funds..

Sections, 1, 2, and 3 enact certain definitions.

Section 4 prohibits any person from holding more than one commercial driver's license at a time, with no waiver permitted. Under present law such a requirement applies to all licenses, but may be waived by the Secretary of State.

Section 5 conforms the state license categories to the federal requirements including the following license categories effective January 1, 1990:

- Class A: Combination vehicles - Combination vehicles of 26,001 pounds GVWR or more with trailer exceeding 10,000 pounds GVWR;
- Class B: Heavy straight vehicles - Single vehicles of 26,001 pounds GVWR or more, or towing a trailer of 10,000 pounds GVWR or less;
- Class C: Light vehicles - Single vehicles of 26,000 pounds GVWR or less, or towing a trailer of 10,000 pounds GVWR or less.

Commercial driver's licenses include all Class A and B licenses and any Class C license with a commercial endorsement. A Class C license without commercial endorsement authorizes driving private passenger automobiles, light trucks and farm trucks and may be endorsed for school buses, motorcycles or motor driven cycles or mopeds, as at present.

Section 6 provides for a certificate for nonresident school bus operators.

Section 7 is technical.

Section 8 provides exemptions from the commercial driver's license requirement for farm vehicles, firefighting equipment and military vehicles.

Section 9 enacts a new section in Title 29 to establish the requirements for commercial driver's licenses. The section requires the State to comply with the federal law and the Secretary of State to adopt rules to ensure compliance. This section also provides for endorsements of commercial driver's licenses for double or triple trailers, buses, tank trucks, hazardous materials and air brakes.

Section 9, subsection 6 requires the Secretary of State to suspend the commercial driver's license of anyone who operates a commercial motor vehicle while under the influence of intoxicating liquor or drugs, or with 0.04% or more by weight of alcohol in the operator's blood. The period of suspension will be set by the Secretary of State by rule and shall satisfy the federal regulations, which currently require a suspension of one year, and in some cases longer.

Section 10 provides for bus learner's permits and school bus learner's permits.

Section 11 prohibits exemption of commercial driver's licenses from the color photograph requirement. The Secretary of State may waive the requirement for other licenses as in present law.

Section 12 increases the fee for Class A and B license examinations from \$25 to \$35. the Class C examination fee remains at \$10.

Section 13 sets a fee of \$10 for double or triple trailer, bus, tank truck or hazardous material endorsements.

Section 14 increases the fee for a missed appointment for a Class A or B examination from \$5 to \$20. For other classes that fee remains at \$5.

Section 15 repeals an outdated provision that provided a credit for licenses issued between July 1, 1980 and February 29, 1981.

Section 16 establishes implied consent and corresponding suspension provisions for operators of commercial motor vehicles for failure to submit to a test to determine blood alcohol level.

Section 17 excludes commercial driver's licenses from a provision of present law which authorizes issuance of a restricted license to a person whose license has been suspended for failure to submit to a test to determine blood alcohol level.

Section 18 allows operation of a school bus by a person who has a school bus operator's license from another state and who meets the other requirements of Maine law.

Section 19 increases the fee for a school bus examination from \$8 to \$10.

Section 20 authorizes the Secretary of State to suspend or revoke a commercial driver's license with or without a preliminary hearing for any violation of the federal Commercial Motor Vehicle Safety Act of 1986 or for failure to surrender a suspended license.

Section 21 modifies the present reciprocity law to provide recognition of commercial driver's licenses from other States

Section 22 contains 3 transitional provisions for the period January 1, 1990 through December 31, 1991. One allows present holders of a Class 1 or Class 2 license with a clean driving record to obtain a Class A or B license with no fee or road test. Commercial endorsements would be treated similarly.

The second allows a present holder of a Class 3 license to obtain a Class C license with a hazardous material endorsement with only a written examination.

The third authorizes the Secretary of State to waive the written test for a holders of a Class 1 or 2 license who wishes to obtain a Class A or B endorsement, provided that authority is granted by the United States Secretary of Transportation.

Section 23 allocates \$234,021 in FY 1989-90 and \$238,357 in FY 1990-91 from the Transportation Safety Fund to fund 7 positions and cover other costs of the Commercial Driver's License program at the Division of Motor Vehicles.

Section 24 allocates \$61,000 in FY 1989-90 and \$75,000 in FY 1990-91 from the Highway Fund to provide funds for 4 vehicles and general operating expenses of the Commercial Driver's License program at the Division of Motor Vehicles.

Section 25 sets an effective date of January 1, 1990 for all provisions except the blood-alcohol and license suspension provisions, which take effect January 1, 1991.

LD 1255      **An Act to Create a Full-time Motor Vehicle Office in the  
Town of Sanford**

**PUBLIC 510**

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

HALE  
RIDLEY  
PAUL  
DUTREMBLE D

OTP

SUMMARY

The bill provides for establishment of a regional office of the Division of Motor Vehicles in Sanford, with 4 full-time employees. It includes an allocation from the Highway Fund of \$127,455 for FY 90 and \$150,819 for FY 91. 12 full-time offices are already authorized.