

MAINE STATE LEGISLATURE

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**STATE OF MAINE
118TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
TRANSPORTATION**

JULY 1997

MEMBERS:

Sen. William B. O'Gara, Chair

Sen. John T. Jenkins

Sen. Vinton E. Cassidy

Rep. Joseph D. Driscoll, Chair

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ONE HUNDRED EIGHTEENTH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS

Summary Of Legislation Before The Joint Standing Committees
August 1997

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

<i>CARRIED OVER</i>	<i>Bill carried over to Second Regular Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

David E. Boulter, Director
 Offices Located in the State House, Rooms 101/107/135

Committee Amendment "A" (H-334) proposed to exempt limousine drivers from the responsibility of ensuring that paying passengers use a seat belt by incorporating limousine drivers into the existing exemption regarding taxicab drivers.

Current law requires the operator of a motor vehicle to secure all passengers of that motor vehicle in seat belts.

Senate Amendment "B" (S-218) proposed to make passengers 18 years of age or older responsible for wearing their seat belts.

Current law requires the operator of a motor vehicle to secure the operator and any passengers of that motor vehicle in seat belts. An operator may be cited for the failure of either the operator or a passenger to wear a seat belt. However, an operator is not required to pay a fine for failure to wear a seat belt unless the operator also is required to pay a fine for some other violation.

Senate Amendment "A" to Senate Amendment "C" (S-343) proposed to repeal the current requirement that the operator is required to pay a fine for a violation other than failure to wear a seat belt before the operator is subject to a fine for failure to wear a seat belt. A passenger 18 years of age or older would be subject to a fine for failure to wear a seat belt regardless of the disposition of the violation by the operator.

This amendment also proposed to correct a headnote to clarify the contents of the subsection.

Enacted law summary

Public Law 1997, chapter 450 exempts limousine drivers from the responsibility of ensuring that paying passengers use a seat belt by incorporating limousine drivers into the existing exemption regarding taxicab drivers. It also makes passengers 18 years of age or older responsible for wearing their seat belts. Current law requires the operator of a motor vehicle to secure all passengers of that motor vehicle in seat belts.

The law also changes the penalty provisions regarding failure to wear a seatbelt. Current law requires the operator of a motor vehicle to secure the operator and any passengers of that motor vehicle in seat belts. An operator may be cited for the failure of either the operator or a passenger to wear a seat belt. However, an operator is not required to pay a fine for failure to wear a seat belt unless the operator also is required to pay a fine for some other violation. This public law repeals the current requirement that the operator is required to pay a fine for some other violation than failure to wear a seat belt before the operator is subject to a fine for failure to wear a seat belt. A passenger 18 years of age or older is subject to a fine for failure to wear a seat belt regardless of the disposition of the violation by the operator.

LD 385

Resolve, to Name the Portland-South Portland Bridge the "George Cleeve Memorial Bridge"

ONTP

Sponsor(s)
BUTLAND
BUCK

Committee Report
ONTP

Amendments Adopted

LD 385 proposed to name the new bridge built crossing the Fore River between Portland and South Portland in honor of George Cleeve, who is considered to be the founder of Portland, Maine.