

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

FIRST REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
TRANSPORTATION**

JULY 1999

MEMBERS:

Sen. William B. O'Gara, Chair

Sen. Judy Paradis

Sen. Vinton E. Cassidy

Rep. Joseph M. Jabar, Sr., Chair

Rep. Gerald N. Bouffard

Rep. Charles D. Fisher

Rep. Gary J. Wheeler

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ONE HUNDRED NINETEENTH LEGISLATURE
FIRST REGULAR SESSION

Summary Of Legislation Before The Joint Standing and Select Committees
August 1999

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

The document is organized for convenient reference to information on bills considered by the committees. It is organized 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:

CARRIED OVER.....Bill carried over to Second Regular Session
CON RES XXX..... Chapter # of Constitutional Resolution passed by both Houses
CONF CMTE UNABLE TO AGREE.....Committee of Conference unable to agree; bill died
DIED BETWEEN BODIES.....House & Senate disagree; bill died
DIED IN CONCURRENCE..... One body accepts ONTP report; the other indefinitely postpones the bill
DIED ON ADJOURNMENT.....Action incomplete when session ended; bill died
EMERGENCY..... Enacted law takes effect sooner than 90 days
ENACTMENT FAILED..... Bill failed to get vote required for enactment or final passage
NOT PROPERLY BEFORE THE BODY..... Ruled out of order by the presiding officers; bill died
INDEF PP.....Bill Indefinitely Postponed
ONTP..... Ought Not To Pass report accepted
OTP ND..... Committee report Ought To Pass In New Draft
OTP ND/NT..... Committee report Ought To Pass In New Draft/New Title
P&S XXX..... Chapter # of enacted Private & Special Law
PUBLIC XXX..... Chapter # of enacted Public Law
RESOLVE XXX..... Chapter # of finally passed Resolve
UNSIGNED.....Bill held by Governor
VETO SUSTAINED.....Legislature failed to override Governor's Veto

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 18, 1999.

The amendment proposed to require that reflective material or lamps visible to oncoming traffic be located on the front corners of trailers that are wider than the vehicle towing the trailer. The amendment also proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 1999, chapter 108, requires that reflective material or lamps visible to oncoming traffic be located on the front corners of trailers that are wider than the vehicle towing the trailer. Shortly after being chaptered, this law was further amended to apply to both trailers and semitrailers.

LD 938

An Act to Allow the Department of Transportation to Designate No-passing Zones Upon Request From a Municipality

PUBLIC 171

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHEELER G KONTOS	OTP-AM	H-256

LD 938 proposed to prohibit a person from crossing a solid no-passing line painted in the center of a road except in an emergency.

Committee Amendment "A" (H-256) proposed to replace the bill. The amendment proposed to allow a municipality to request that the Department of Transportation designate segments of two-lane roads in primarily residential areas of the municipality as no-passing zones and to require that the department approve such requests unless the commissioner determines that granting the request will unreasonably restrict the efficient flow of traffic or result in a threat to public safety in that location. The amendment proposed that all decisions of the commissioner must be in writing and must be made within 30 days after receiving a request.

The amendment proposed that if a request is approved, the Department of Transportation must stripe the road with double, solid, yellow center lines and post the road as no-passing. The municipality would be required to reimburse the department for all posting costs. Passing in a no-passing zone designated by the commissioner is a traffic infraction.

The amendment proposed that if a municipal request is denied, the Department of Transportation is required, at the request of the municipality, to hold a public hearing in the municipality. A final decision of the department would be required within 30 days after the hearing is held.

The amendment also proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 1999, chapter 171, enacts as law the provision proposed in Committee Amendment "A".

LD 951

An Act to Amend the Motor Vehicle Laws

PUBLIC 183

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PARADIS	OTP-AM	S-107

LD 951 proposed several changes to the motor vehicle laws. This bill was submitted on behalf of the Department of Public Safety.

Committee Amendment "A" (S-107) proposed to remove several sections of the bill that have been addressed by other bills during this session and to remove a section that proposed to make selling or equipping a vehicle with certain after market items a Class E crime. The amendment also proposed to repeal obsolete language pertaining to the Joint Standing Committee on Transportation's review of rules adopted by the Chief of the State Police and enacts the standard language required to ensure legislative review of major substantive rules under the Administrative Procedure Act. The amendment also proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 1999, chapter 183, moves language prohibiting a skidder with chains being driven on a paved way from a section regarding registration to new section under rules of the road, repeals unnecessary language regarding adoption of the Federal Code of Regulations by reference, requires special mobile equipment to be equipped with adequate brakes, clarifies that the prohibition against aftermarket tinting of windows in motor vehicles applies only to vehicles required to be registered in the State, prohibits reading while operating a motor vehicle, prohibits the towing wheels of a semitrailer or trailer clarifies from crossing the center part of a rotary or traffic circle, prohibits driving through a parking area to avoid a traffic control device such as a red light, expands the prohibition against riding in a towed vehicle to include a vehicle being towed by a wrecker or by use of a towbar, clarifies that the penalty for refusing to follow the direction of a law enforcement officer attempting to divert vehicular or pedestrian traffic for a special event applies to vehicle operators and to pedestrians, prohibits riding in the trunk of a moving vehicle, expands the prohibition against passing a stopped school bus to include buses stopped in parking areas, repeals obsolete language pertaining to the Joint Standing Committee on Transportation's review of rules adopted by the Chief of the State Police and enacts the standard language required to ensure legislative review of major substantive rules under the Administrative Procedure Act.

LD 957 An Act to Make Supplemental Allocations from the Highway Fund for the Fiscal Years Ending June 30, 2000 and June 30, 2001 PUBLIC 473 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JABAR O'GARA	OTP-AM	H-752 H-755 JABAR

LD 957 proposed a Part II Highway Fund Budget.

Committee Amendment "A" (H-728) was the majority report of the committee and proposed the following:

Part A: appropriate funds from the General Fund and allocates funds from the Highway Fund.

Part B: increase the gas tax by 2¢ effective August 1, 1999.

Parts C and D: restructure the Local Road Assistance Program as the new Rural Road Initiative and Urban Compact Initiative.

Part E: require the Department of Transportation to report to the Legislature regarding urban capital programming and municipal participation in state aid minor collector capital projects.

Part F: require municipal disbursements to be made according to formulas existing prior to the effective date of the Act.

Part G: delay the production of dealer plates by one year.