

# 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:**

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*Sen. Judy Paradis*

*Sen. Vinton E. Cassidy*

*Rep. Joseph M. Jabar, Sr., Chair*

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*Rep. Charles D. Fisher*

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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](http://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 also proposed that these changes do not affect the appointment or term of any member of the turnpike authority appointed prior to the effective date of this legislation. The amendment also proposed to add a fiscal note to the bill.

***Enacted law summary***

Public Law 1999, chapter 177 increases the membership of the Maine Turnpike Authority from five to seven members by creating a sixth membership position on August 1, 2000 and a seventh membership position on August 1, 2002. The new members are appointed in the same manner provided by current law. After August 1, 2002, the quorum of the authority is increased from three to 4 members and the Governor is required after that date to ensure that the authority includes one person who is a resident from each of the counties in which the turnpike is located and who is named by the Governor as that county's representative on the authority. The law also provides that the term of a member who is named as a representative from one of those counties terminates when that person's residency changes to another county.

The law also states that these changes do not affect the appointment or term of any member of the turnpike authority appointed prior to the effective date of this legislation.

**LD 1462                      An Act to Establish a Pilot Program to Allow Private Driving School Instructors to Conduct Driver Operation Examinations                      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRAGDON MITCHELL B	ONTP	

LD 1462 proposed to establish a two-year pilot program allowing certified driver education instructors to conduct road tests for Class C driver license applicants and to require the Secretary of State to report on the success of this program to the Second Regular Session of the 120th Legislature.

**LD 1489                      An Act Regarding the Operation of a Motorized or Electric Bicycle on a Public Way                      PUBLIC 170**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STANWOOD	OTP	

LD 1489 proposed to clarify that a motorized bicycle or tricycle may be operated by a person with a valid license of any class.

***Enacted law summary***

Public Law 1999, chapter 170 clarifies that a motorized bicycle or tricycle may be operated by a person with a valid license of any class.

**LD 1491                      An Act to Improve Access to Driver Education                      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHERMAN	ONTP	

LD 1491 proposed to remove the license fee for driver education schools and driver education teachers and instructors who are also certified teachers in public and private secondary schools. The bill also proposed to require that the Secretary of State make certain changes to the policies governing driver education programs and the licensing and relicensing of driver education teachers and instructors.

**LD 1543**

**An Act to Create a Bicycle Safety Education Act**

**PUBLIC 331**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRENNAN	OTP-AM MAJ	H-378
PARADIS	ONTP MIN	

LD 1543 proposed to create the Bicycle Safety Act, which requires operators and passengers of bicycles who are under 16 years of age to wear bicycle helmets, requires the Department of Education to develop bicycle safety education guidelines, requires sellers and renters of bicycles to post a notice explaining the provisions of the Bicycle Safety Act and requires law enforcement officers to provide an operator of a bicycle in violation of the Bicycle Safety Act with information on the act.

**Committee Amendment "A" (H-378)** proposed to rename the Bicycle Safety Act the Bicycle Safety Education Act and make several amendments to the bill to clarify liability and evidentiary issues pertaining to the use and nonuse of bicycle helmets.

*Enacted law summary*

Public Law 1999, chapter 331 establishes the Bicycle Safety Act Education requires operators and passengers of bicycles who are under 16 years of age to wear bicycle helmets, and requires the Department of Education to develop bicycle safety education guidelines, requires sellers and renters of bicycles to post a notice explaining the provisions of the Bicycle Safety Act and requires law enforcement officers to provide an operator of a bicycle in violation of the Bicycle Safety Act with information on the act.

**LD 1570**

**An Act to Require the Department of Transportation to Cut Brush and Trees Along a Highway at the Request of a Business**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL	ONTP	

LD 1570 proposed to require the Department of Transportation to remove trees and brush within the right-of-way of a state or state aid highway when a business requests the service to increase visibility of the business from the highway and to require a business to reimburse the department for any costs incurred.

**LD 1576**

**An Act to Strengthen the Motor Vehicle Laws Pertaining to Registration CARRIED OVER of Motor Vehicles**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LEMONT		

LD 1576 proposes to amend the motor vehicle laws to change the definitions of "resident" and "owner" and to repeal the provision that would exempt a nonresident from registration and licensing laws of this State if the state that nonresident was from offered the same exemption to a resident of this State if that resident was in that state.