

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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Rep. Edgar 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.

Public Law 1999, chapter 355, changes the name of the "Maine State Pilotage Commission" to the "Maine Pilotage Commission," increases the number of members on the commission and changes the description of the jurisdictional area that certain members represent, increases fees, penalties and fines for violating provisions of law governing the piloting of vessels, requires the commission to submit its annual report to the Commissioner of Transportation rather than to the Commissioner of Professional and Financial Regulation, specifies that all complaints and investigative records of the commission are confidential during the pendency of an investigation and sets forth exceptions to that confidentiality, adds a definition of the term "actively piloting," specifies that only three of the seven members of the Maine Pilotage Commission may be licensed pilots and add provisions limiting the personal liability of pilots for damages to not more than \$5,000, except for damages or loss arising from the intentional, willful or reckless misconduct of the pilot.

Chapter 355 was enacted as an emergency measure effective May 28, 1999.

LD 1656 **An Act to Allow Local Control of Traffic on State Aid Roads Without Loss of State Highway Funds** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOUGLASS	ONTP MAJ	
GOODWIN	OTP MIN	

LD 1656 proposed to allow municipalities and counties to regulate state aid highways and bridges in the same manner in which they are presently able to regulate other public ways within their jurisdictions, while leaving those roads as state aid highways and while allowing the municipality to continue to receive its share of the highway funds to maintain those roads.

LD 1667 **An Act to Amend Motor Vehicle Laws** **PUBLIC 470
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'GARA	OTP-AM	S-219
WHEELER G		S-230 MURRAY

LD 1667 proposed to make several changes to the motor vehicle laws. This bill was submitted on behalf of the Secretary of State.

Committee Amendment "A" (S-219) proposed to make the bill an emergency and to add several other provisions to the bill.

Senate Amendment "A" (S-230) was being presented on behalf of the Committee on Bills in the Second Reading to remove a section of law already enacted in an identical section in Public Law 1999, chapter 127, Part A, section 43.

Enacted law summary

Public Law 1999, chapter 470, does the following.

1. It repeals the Secretary of State's Motor Carrier Training Advisory Board since the board's duties duplicate the responsibilities of the Technical Review Panel for driver education programs under the Maine Revised Statutes, Title 29-A, section 1354, subsection 6.

2. It clarifies the intent to exempt motorcycle and recreational vehicle manufacturers and distributors from the manufacturer licensing requirements.
3. It allows the Secretary of State to deny, suspend or revoke a business or occupational license on the basis of criminal convictions beyond the limitations, generally 3 years, established by Title 5, chapter 341.
4. It clarifies that an unlicensed person must be at least 14 years of age to operate a tractor used solely for farming purposes.
5. It amends the provision concerning the design for registration plates for firefighters in light of the new firefighter plate design.
6. It provides an enforcement provision to prohibit a person from using another person's disability plates or placard.
7. It corrects title fees for long-term registration plates for trailers.
8. It changes the title exemption and certificate of salvage exemption from vehicles older than 1984 to vehicles that are over 15 years old.
9. It addresses the time frame in which additional plates are issued at a 1/2 rate fee.
10. Currently all dealer licenses issued expire December 31st in the year they are issued. This bill allows for all dealer licenses to be issued on a staggered basis.
11. It repeals language that would be contrary to a staggered dealer plate issuance.
12. The enactment of Public Law 1997, chapter 737, section 3 and Public Law 1997, chapter 776, section 36 resulted in the adoption of 2 conflicting amendments to Title 29-A, section 1304, subsection 1, paragraph E. This bill corrects that conflict by incorporating the changes made by the 2 enactments into a single paragraph.
13. It prohibits a person with a motorcycle permit from carrying passengers.
14. It authorizes the Secretary of State to waive the requirement that a person under 18 years of age complete driver education before being issued a Maine driver's license if the person holds a valid driver's license from another jurisdiction.
15. It authorizes the Secretary of State to waive the road examination for an applicant for a motorcycle endorsement who has successfully passed an approved motorcycle rider course. It further provides that when the motorcycle road examination is waived the endorsement issued prohibits the carrying of passengers for 60 days.
16. It provides some administrative flexibility in the administration of 53-foot semitrailer permits. Current law requires a permit for each semitrailer with length in excess of 48 feet up to 53 feet. This bill allows the Secretary of State to issue the permit to the permittee's truck tractor, instead of the trailer, at the permittee's request.
17. It repeals the definition for "ignition interlock device."
18. It removes the Secretary of State's authority to require an ignition interlock device as a condition to license reinstatement for a person whose license is suspended following a conviction for operating after suspension.
19. It repeals the ignition interlock program for repeat OUI offenders.
20. It clarifies that a person may be convicted for operating after suspension when the person's license is suspended by a court for failing to pay a fine.

21. It clarifies that motor vehicles that are required by law to be registered in the State are subject to the same minimum insurance requirements as cars that are registered in the State.
22. It prohibit the sale or distribution of digital image information, graphic designs and security components contained in a driver's license.
23. It changes recycler licenses from calendar-year licenses to 12-month licenses.
24. It allows semitrailers registered in another jurisdiction to be titled in this State.
25. It allows the Secretary of State to issue a temporary 90-day facsimile plate to persons who have reserved their plate numbers to allow for the reserved plate to be manufactured.

Chapter 470 was enacted as an emergency measure effective June 10, 1999.

LD 1680

An Act to Require the Equitable Taxation of Motor Vehicles

ONTP

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

LD 1680 proposed to allow a person to transfer the title of a vehicle to any other person whose name appears on the registration certificate without that transaction being considered a new registration.

LD 1690

An Act Regulating the Transportation of People in Pickup Trucks

PUBLIC 311

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRUNO	OTP-AM	H-239 H-289 WHEELER G

LD 1690 proposed to regulate the transportation of people and dogs in pickup trucks to ensure the safety of the passengers and animals by restricting a person under 19 years of age, with some exemptions, to riding in the passenger compartment of a pickup truck. The bill also proposed certain conditions and restrictions on the transportation of dogs in pickup trucks.

Committee Amendment "A" (H-239) proposed to remove from the bill all provisions pertaining to dogs and to change the title of the bill to reflect that change. The amendment also proposed to strike two exceptions proposed in the bill and to clarify that the exception for workers and trainees includes agricultural workers and trainees. The amendment also proposed to add a fiscal note to the bill.

House Amendment "A" to Committee Amendment "A" (H-289) proposed to add an exception to the bill's prohibition on persons under 19 years of age riding in the back of a pickup truck for licensed hunters who are being transported to or from a hunting location, provided they are in compliance with all applicable laws pertaining to the possession and transportation of firearms in a motor vehicle.

Enacted law summary

Public Law 1999, chapter 311 requires a person under 19 years of age to ride in the passenger compartment of a pickup truck. An exception is provided for workers and trainees, including agricultural workers and trainees engaged in work