

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

SECOND REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
TRANSPORTATION**

JULY 2000

MEMBERS:

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Sen. Judy A. Paradis

Sen. Vinton E. Cassidy

Rep. Joseph M. Jabar, Sr., Chair

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Staff:

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ONE HUNDRED NINETEENTH LEGISLATURE
SECOND REGULAR SESSION

Summary Of Legislation Before The Joint Standing Committees
July 2000

We are pleased to provide this summary of 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:

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
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE..... Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE..... Bill failed to get majority vote
FAILED MANDATE ENACTMENT..... Bill imposing local mandate failed to get 2/3 vote
NOT PROPERLY BEFORE THE BODY..... Ruled out of order by the presiding officers; bill died
INDEF PP..... Bill Indefinitely Postponed
ONT P..... 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 Second Regular Session (unless otherwise specified in a particular law) is August 11, 2000.

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

5. It clarifies that the Department of Transportation does not have responsibility for designating no-passing zones on roads that are not the responsibility of the department.
6. It stipulates that municipalities have responsibility for regulation of utility facilities in the public way in urban compact areas, regardless of whether or not the highway is a federal-aid highway.
7. It relieves certain municipalities of financial obligations for major collector state aid highway reconstruction local match requirements.
8. It clarifies that the Maine Port Authority's purpose includes financing for port and rail development. Clarification will avoid the need for ongoing statutory interpretation.
9. It increases the overall combination vehicle length limit for truck tractor and tractor or semitrailer combinations hauling trailers or semitrailers that are more than 45 feet but no more than 48 feet long from 65 feet to 69 feet. For truck tractor vehicles containing trailers or semitrailers that are more than 48 feet long but no more than 53 feet long that travel beyond the national network, the overall length limit is increased from 70 to 74 feet. The law also clarifies that all combinations of vehicles are limited to a maximum overall length of 65 feet unless otherwise allowed by law.
10. It affirms that a municipality may not regulate the operation of vehicles in the public ways if that regulation conflicts with limits imposed by the Department of Transportation pursuant to the Maine Revised Statutes, Title 23. This change addresses the ability of municipalities to restrict commercial vehicle traffic on state or state-aid highways.
11. It addresses where the Department of Transportation has jurisdiction over utility easements, making it clear that it does not regulate easements on federal-aid highways. It updates references for urban compact areas in several places.
12. It specifies that in urban compact municipalities without standards for utility installations the Department of Transportation's rules and policies are the default standards.

LD 2381

An Act to Ensure Fuel Deliveries by Allowing Fuel Delivery Vehicles to Travel on Posted Roads

PUBLIC 600

Sponsor(s)
HARRIMAN

Committee Report
OTP-AM

Amendments Adopted
S-518

LD 2381 proposed to exempt home heating oil, kerosene and propane delivery vehicles from the requirements of having to obtain permits to traverse posted roads when they are making deliveries. Currently, these vehicles obtain statewide exemption permits from the State for traveling on state roads. However, for local roads, if the municipality has not adopted the Maine Municipal Association model ordinance, the vehicle must apply at each municipality for the exemption to traverse the local roads.

Committee Amendment "A" (S-518) proposed to allow a vehicle that has an overlimit exemption permit issued by the Department of Transportation to travel over any county or town way without a specific

municipal or county permit. The amendment also specified that a municipality could not require a permit for a vehicle to operate on restricted roads.

Enacted law summary

Public Law 1999, chapter 600 allows a home heating oil, kerosene and propane delivery vehicle that has an overlimit exemption permit issued by the Department of Transportation to travel over any county or town way without a specific municipal or county permit. The law also makes it clear that a municipality may not require a permit for a vehicle to operate on restricted roads.

LD 2413

An Act to Maintain Maine's Traditional Town Line Signs

ONTP

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

LD 2413 proposed to require that the town line signs erected by the Department of Transportation be the traditional long narrow signs used in the past rather than the newer green metal signs with reflective lettering.

LD 2438

**An Act to Clarify Repair and Inspection Standards for Punctured
Tires**

**DIED BETWEEN
BODIES**

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

LD 2438 proposed to prohibit an inspection facility from failing a tire's safety inspection solely on the grounds that the tire was repaired using a tire plug only. This bill also proposed to prohibit the facility from removing a plugged tire from a rim for inspection purposes unless there is some other indication of an unsafe condition.

This bill also proposed to prohibit the Chief of the State Police from adopting a rule to require a repair to a punctured tire be made by removing the tire from the rim if it is not necessary.

LD 2450

**An Act to Restrict Passengers in the Vehicle of a Newly Licensed
Driver**

PUBLIC 674

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVAGE C	OTP-AM	H-847 H-904 CLARK S-609 O'GARA