

MAINE STATE LEGISLATURE

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*State Of Maine
120th Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Transportation*

August 2001

Members:

Sen. Christine R. Savage, Chair

Sen. William B. O'Gara

Sen. Kenneth T. Gagnon

Rep. Charles D. Fisher

Rep. Gerald N. Bouffard

Rep. Gary J. Wheeler

Rep. George H. Bunker, Jr.

Rep. Boyd P. Marley

Rep. Rosaire Paradis, Jr.

Rep. Edgar Wheeler

Rep. Ronald F. Collins

Rep. Terrence P. McKenney

Rep. Deborah K. McNeil

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Maine State Legislature
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120th Legislature
First Regular Session

Summary Of Legislation Before The Joint Standing Committees
August 2001

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 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*
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*
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 21, 2001**.

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

Joint Standing Committee on Transportation

LD 645

An Act to Allow Motor Vehicle Safety Inspection Stations to Set Their Own Vehicle Inspection Fees

PUBLIC 234

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKENNEY LEMONT	OTP-AM MAJ ONTP MIN	H-239

LD 645 proposed to require inspection stations, as part of the standard vehicle inspection, to inspect the brake friction material of a vehicle. The bill also proposed to repeal the statutorily set inspection fees, allowing inspection stations to set their own fees.

Committee Amendment "A" (H-239), the committee majority report, replaced the bill. The amendment proposed to repeal the statutorily set motor vehicle inspection fees and allow vehicle inspection stations to establish their own inspection fees, subject to a maximum fee level of \$12.50 for a standard inspection, \$15.50 for an enhanced inspection on pre-1996 model vehicles pursuant to the Maine Revised Statutes, Title 29-A, section 1751, subsection 2-A and \$18.50 for an enhanced inspection performed on 1996 and later model vehicles pursuant to Title 29-A, section 1751, subsection 2-A. The amendment proposed to increase the fee paid to the Chief of the State Police for vehicle inspection stickers from \$1.50 to \$2.50. It also proposed to remove the section of the bill that pertains to the inspection of brake friction material.

Enacted law summary

Public Law 2001, chapter 234 repeals the statutorily set motor vehicle inspection fees and allows vehicle inspection stations to establish their own inspection fees, subject to a maximum fee level of \$12.50 for a standard inspection, \$15.50 for an enhanced inspection on pre-1996 model vehicles pursuant to the Maine Revised Statutes, Title 29-A, section 1751, subsection 2-A and \$18.50 for an enhanced inspection performed on 1996 and later model vehicles pursuant to Title 29-A, section 1751, subsection 2-A. The law also increases the fee paid to the Chief of the State Police for vehicle inspection stickers from \$1.50 to \$2.50.

LD 652

An Act to Amend the Motor Vehicle Laws

**PUBLIC 361
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHEELER G O'GARA	OTP-AM	H-555

LD 652 proposed to make certain changes to the motor vehicle laws, including the following.

1. It amended the definition of "classic vehicle" to include vehicles that are between 16 years and 26 years old.
2. It expanded the enforcement authority of motor vehicle investigators.
3. It specified that operating a vehicle with an expired 14-day temporary registration plate is a traffic infraction.
4. It required that certain applicants for vehicle registration provide either a federal taxpayer identification number or an identification number issued by the Department of Transportation.

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5. It removed the fee for disability placards.
6. It authorized the Secretary of State to suspend fuel decals issued to a person who fails to file any fuel tax report or pay taxes.
7. It changed the dates by which the Secretary of State must make disbursements and transfers relating to the Municipal Excise Tax Reimbursement Fund.
8. It amended the definition of "component part" to include airbags, except for purposes of defining "rebuild" and "salvage vehicle."
9. It allowed certain semitrailers to be titled in this State even if they are registered in another jurisdiction.
10. It eliminated language that establishes as a Class E crime the failure to timely deliver a certificate to the Secretary of State.
11. It required insurance providers to notify the Secretary of State when insurance for a certain types of commercial vehicles is cancelled.

Committee Amendment "A" (H-555) proposed to make the following changes to the bill:

1. It added an emergency preamble and an emergency clause;
2. It created a cross-reference regarding sanctions for operators of all-terrain vehicles on ways;
3. It clarified the admissibility of electronic notification of suspension by a court to the Secretary of State;
4. It clarified that a person who is suspended for failure to comply with motor carrier fuel tax requirements may not operate trucks as a motor carrier. The suspension does not affect an individual's driver's license;
5. It staggered the terms of members of the Motor Carrier Review Board in order to provide continuity to the board's operation. The amendment clarified the board's powers with respect to the recommendations the board may make to the Secretary of State;
6. It clarified that the Secretary of State may waive the examination for a Maine license for a person recently issued a license from any other jurisdiction;
7. It clarified that a person whose license is suspended by this State commits the offense of operating after suspension if the person operates a motor vehicle in this State under a license issued by another jurisdiction;
8. It further clarified the admissibility of electronic notification of suspension by a court to the Secretary of State;
9. It allowed the Secretary of State to enter into a lease-purchase agreement for the new motor vehicle database and computer system;
10. It provided authorization to extend limited-period motor vehicle service representative positions for one month utilizing funds allocated for the current fiscal year;
11. It amended the law to provide staggered registration dates for boat and snowmobile trailers as well as other light trailers, effective January 1, 2002;

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Senate Amendment "A" (S-289) proposed to amend the definition of "authorized emergency vehicle" to include a vehicle operated by a municipal rescue chief or deputy chief.

Enacted law summary

Public Law 2001, chapter 361 makes certain changes to the motor vehicle laws, including the following.

1. It amends the definition of "classic vehicle" to include vehicles that are between 16 years and 26 years old;
2. It expands the enforcement authority of motor vehicle investigators;
3. It specifies that operating a vehicle with an expired 14-day temporary registration plate is a traffic infraction;
4. It requires that certain applicants for vehicle registration provide either a federal taxpayer identification number or an identification number issued by the Department of Transportation. This provision is effective October 1, 2001;
5. It removes the fee for disability placards;
6. It authorizes the Secretary of State to suspend fuel decals issued to a person who fails to file any fuel tax report or pay taxes;
7. It changes the dates by which the Secretary of State must make disbursements and transfers relating to the Municipal Excise Tax Reimbursement Fund. This provision is effective October 1, 2001;
8. It amends the definition of "component part" to include airbags, except for purposes of defining "rebuild" and "salvage vehicle." This provision is effective October 1, 2001;
9. It allows certain semitrailers to be titled in this State even if they are registered in another jurisdiction;
10. It eliminates language that establishes as a Class E crime the failure to timely deliver a certificate to the Secretary of State;
11. It requires insurance providers to notify the Secretary of State when insurance for certain types of commercial vehicles is cancelled;
12. It creates a cross-reference regarding sanctions for operators of all-terrain vehicles on ways;
13. It clarifies the admissibility of electronic notification of suspension by a court to the Secretary of State;
14. It clarifies that a person who is suspended for failure to comply with motor carrier fuel tax requirements may not operate trucks as a motor carrier. The suspension does not affect an individual's driver's license;
15. It staggers the terms of members of the Motor Carrier Review Board in order to provide continuity to the board's operation. Currently, the terms of all members expire simultaneously. The law also clarifies the board's powers with respect to the recommendations the board may make to the Secretary of State;
16. It clarifies that the Secretary of State may waive the examination for a Maine license for a person recently issued a license from any other jurisdiction;

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17. It clarifies that a person whose license is suspended by this State commits the offense of operating after suspension if the person operates a motor vehicle in this State under a license issued by another jurisdiction;
18. It allows the Secretary of State to enter into a lease-purchase agreement for the new motor vehicle database and computer system;
19. It provides authorization to extend limited-period motor vehicle service representative positions for one month utilizing funds allocated for the current fiscal year;
20. It amends the law to provide staggered registration dates for boat and snowmobile trailers as well as other light trailers. This provision is effective January 1, 2002; and
21. It amends the definition of "authorized emergency vehicle" to include a vehicle operated by a municipal rescue chief or deputy chief.

Unless otherwise noted above, most provisions of Public Law 2001, chapter 361 were enacted as an emergency measure on May 29, 2001.

LD 656 **An Act to Require a Continuing Review of Regional Transportation Problems in Northern York County and Southern Cumberland County** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVAGE W GAGNON	ONTP	

LD 656 proposed to require the Commissioner of Transportation to review regional transportation issues in northern York County and southern Cumberland County.

LD 678 **An Act to Establish a Maine Lobster Specialty Plate** **ONTP**

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

LD 678 proposed to authorize the issuance of a special lobster motor vehicle registration plate. Funds from the purchase of these plates would be deposited into the Lobster Fund within the Department of Marine Resources.