

# 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*

**Staff:**

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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](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*  
*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 1361

**An Act to Allow the Maine Turnpike Authority to Levy an Administrative Fee against Toll Evaders**

**PUBLIC 154**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVAGE C MCNEIL	OTP-AM	S-82

LD 1361 proposed to give the Maine Turnpike Authority the authority to levy and collect from the registered owner of a vehicle that fails to pay a toll an administrative fee of \$20 per toll not paid. This bill proposed to place the burden for proving that the toll and administrative fee have been paid upon the registered owner.

**Committee Amendment "A" (S-82)** proposed to exempt certain types of vehicles from the administrative fee authorized by the bill.

### *Enacted law summary*

Public Law 2001, chapter 154 gives the Maine Turnpike Authority the authority to levy and collect from the registered owner of a vehicle that fails to pay a toll an administrative fee of \$20 per toll not paid. This law places the burden for proving that the toll and administrative fee have been paid upon the registered owner. Certain types of vehicles are exempt from the administrative fee.

**LD 1380**

**An Act Regarding Uninsured Drivers**

**PUBLIC 463**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CATHCART BROOKS	OTP-AM	S-144 S-334 CATHCART S-397 SAVAGE C

LD 1380 proposed to authorize the Secretary of State to suspend the license of an uninsured person that is involved in a motor vehicle accident and causes damage to another motor vehicle or a person until the operator has paid for all damages to the other motor vehicle or the person. The bill also proposed to require an insurance company to notify the Secretary of State if an insured person allows the insurance to lapse on a motor vehicle.

**Committee Amendment "A" (S-144)** replaced the bill and proposed to require that an insurer of a motor vehicle registered in Maine notify the Secretary of State when the insurance on that motor vehicle is cancelled, terminated or lapses. It proposed that the Secretary of State be required to suspend the motor vehicle owner's registration certificate and plates until the owner provides evidence of insurance to the Secretary of State.

The amendment proposed a fine of \$500 if a person is stopped for a routine motor vehicle violation, \$1,000 if a person is arrested for OUI and \$1,000 plus restitution if a person is involved in a vehicular accident and fails to produce evidence of liability insurance or financial responsibility.

The amendment also proposed to authorize the Secretary of State to suspend the license of an uninsured person who is determined to be at fault in a motor vehicle accident and causes damage to another vehicle or a person until the uninsured person has paid for the damage caused to the other motor vehicle or person.

## Joint Standing Committee on Transportation

**House Amendment “A” to Committee Amendment “A” (H-536)** added an updated allocation section and fiscal note to Committee Amendment “A.”

**Senate Amendment “A” to Committee Amendment “A” (S-334)** proposed to do the following.

1. It eliminated the portion of the committee amendment that imposed additional fines on a person for failure to produce evidence of liability insurance or financial responsibility after being stopped for a motor vehicle violation, arrested for operating under the influence or involved in a vehicular accident.
2. It removed the requirement that the Secretary of State suspend the driver's license of an uninsured person involved in a motor vehicle accident if that person is at fault and causes damage to another person or vehicle until the uninsured person pays for the damage caused.
3. It required an insurer to notify the Secretary of State by electronic means of the cancellation, termination or lapse of a policy issued for a motor vehicle registered in the State. This requirement would take effect July 1, 2003.
4. It increases the driver's license reinstatement fee from \$30 to \$35, effective January 1, 2003.

**Senate Amendment “B” to Committee Amendment “A” (S-397)** This amendment proposed to add additional cross-references in the Maine Revised Statutes, Title 29-A to reflect the increase in the driver's license reinstatement fee proposed in Senate Amendment "A" to Committee Amendment "A."

### *Enacted law summary*

Public Law 2001, chapter 463 requires that an insurer of a motor vehicle registered in Maine notify the Secretary of State by electronic means when the insurance on that motor vehicle is cancelled, terminated or lapses effective July 1, 2003. The law requires the Secretary of State to suspend the motor vehicle owner's registration certificate and plates until the owner provides evidence of insurance to the Secretary of State. The fee to reinstate the driver's license is \$35, effective January 1, 2003.

Public Law 2001, chapter 463 was enacted as an emergency measure effective January 1, 2003.

**LD 1411**

**An Act to Protect Highway Travelers and Maine's Highway System by Increasing Fines on Excessively Loaded Trucks**

**PUBLIC 267**

Sponsor(s)  
O'GARA  
FISHER

Committee Report  
OTP-AM

Amendments Adopted  
S-184

LD 1411 proposed to increase fines for the operation of a vehicle in excess of established weight limits. It proposed to make the vehicle registrant responsible for operation of a vehicle in excess of registered weight and to repeal the reduced penalty provision for such a violation. The bill also proposed to amend the minimum fine provision to reflect the amended fine schedule minimum amount. It would repeal the current vehicle-specific aggravated overweight and repeat offender provisions and enact penalty provisions based upon the vehicle registrant's record of prior offenses. Finally, the bill proposed to limit the maximum length of vehicles carrying tree-length logs to 74 feet without a special permit.