

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

*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:**

*Todd Jorgensen, Legislative Analyst*

*Office of Policy and Legal Analysis*

*13 State House Station*

*Augusta, ME 04333*

*(207) 287-1670*



**Maine State Legislature**  
**OFFICE OF POLICY AND LEGAL ANALYSIS**

13 State House Station, Augusta, Maine 04333-0013  
 Telephone: (207) 287-1670  
 Fax: (207) 287-1275

**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

**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.

## Joint Standing Committee on Transportation

**Committee Amendment "A" (S-184)** proposed to reduce certain fines for axle weight violations applicable to vehicles hauling special commodities. It also proposed to remove certain repeat violator provisions from the bill. The amendment would also repeal the 80,000 pound gross vehicle weight limit provision for vehicles hauling 53-foot semitrailers.

The amendment would require the Department of Transportation to report to the Legislature on recommended legislation to hold freight shippers and brokers responsible for overweight trucks. It proposed to establish an effective date of January 31, 2002 for the bill except that it provided that the section of the bill that directs the Commissioner of Transportation to report to the Joint Standing Committee on Transportation take effect 90 days after adjournment of the First Regular Session of the 120th Legislature.

**House Amendment "A" (H-484)** proposed that weight tolerances allowed for certain vehicles must be included in the allowed basic weights of those vehicles when calculating fines for overweight vehicles.

### *Enacted law summary*

Public Law 2001, chapter 267 increases fines for the operation of a vehicle in excess of established weight limits. The law makes the vehicle registrant responsible for operation of a vehicle in excess of registered weight and repeals the reduced penalty provision for such a violation. It repeals the current vehicle-specific aggravated overweight and repeat offender provisions. It limits the maximum length of vehicles carrying tree-length logs to 74 feet without a special permit. The law reduces certain fines for axle weight violations applicable to vehicles hauling special commodities. Finally, it requires the Department of Transportation to report to the Legislature on recommended legislation to hold freight shippers and brokers responsible for overweight trucks.

Except for the provision that directs the Commissioner of Transportation to report to the Legislature, Public Law 2001, chapter 267 was enacted with an effective date of January 31, 2002.

**LD 1414**

**An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, Highway Fund and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2002 and June 30, 2003**

**P & S 23  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVAGE C FISHER	OTP-AM	S-51

LD 1414 proposed to do the following.

Part A would make allocations from the Highway Fund.

Part B would make allocations from the Highway Fund representing reduction proposals or adjustments.

**Committee Amendment "A" (S-51)** proposed to do the following.

Part A would make allocations from the Highway Fund.

Part B would make allocations from the Highway Fund representing reduction proposals or adjustments.