

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).

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

Enacted law summary

Private and Special Law 2001, chapter 23 does the following.

Part A makes allocations from the Highway Fund.

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

Private and Special Law 2001, chapter 23 was enacted as an emergency measure effective May 25, 2001.

LD 1416 **Resolve, to Authorize the Development of a New Railroad Bridge on the Union Branch Railroad Line over Back Cove in Portland** **RESOLVE 18**

<u>Sponsor(s)</u> FISHER		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 1416 proposed to authorize the Department of Transportation or the Northern New England Passenger Rail Authority to develop and build a railroad bridge across the tidewaters of Back Cove in Portland.

Enacted law summary

Resolve 2001, chapter 18 authorizes the Department of Transportation or the Northern New England Passenger Rail Authority to develop and build a railroad bridge across the tidewaters of Back Cove in Portland.

LD 1427 **An Act to Prohibit Roadblocks for the Purpose of Enforcing the Seat Belt Law for Adults** **ONTP**

<u>Sponsor(s)</u> PERKINS WOODCOCK		<u>Committee Report</u> ONTP MAJ OTP MIN		<u>Amendments Adopted</u>
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LD 1427 proposed to prohibit the use of roadblocks for the purpose of determining whether the operator or any passenger 18 years of age or older in a motor vehicle is wearing a seat belt.

LD 1456 **An Act Relating to Restricted Licenses for Certain Drivers** **DIED BETWEEN BODIES**

<u>Sponsor(s)</u> SAVAGE W		<u>Committee Report</u> OTP-AM MAJ ONTP MIN		<u>Amendments Adopted</u>
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LD 1456 proposed to give the Secretary of State discretion to issue a restricted license to a person whose license is suspended for a second or subsequent OUI offense. As proposed, the restricted license would not be available

Joint Standing Committee on Transportation

until the person completed at least 2/3 of the suspension period and an alcohol and drug program. The restrictions would include that the license could be used only to travel between home and employment or a treatment program for a minimum of 18 months, the period of time of the suspension period for second OUI offenses, from the original suspension date. This bill would have also allowed the Secretary of State to impose any other restrictions that would be advisable for the safety of the public or welfare of the operator.

Committee Amendment "A" (H-409), the committee majority report, replaced the bill and would have given the Secretary of State discretion to issue a restricted license to a multiple OUI offender. The restricted license would not be available until 2/3 of the suspension period has expired and the Secretary of State has received notice that the person has committed no motor vehicle offenses since the imposition of the suspension; has completed the alcohol and drug program as defined in the Maine Revised Statutes, Title 29-A, section 2401, subsection 1; has executed an affidavit attesting to at least 3 concurrent years of abstinence from intoxicants; and has completed at least 2 years of volunteer work in substance abuse at a county jail, a hospital or other institution.

The amendment would have also provided that restrictions on the license should include that the license could be used only to travel to and from a treatment program or to employment for the remaining term of the original suspension. The Secretary of State could also consider any other conditions or restrictions advisable for the safety of the public or welfare of the operator.

LD 1480 **An Act to Promote Driver Responsibility** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLAUGHLIN	ONTP MAJ	
O'GARA	OTP-AM MIN	

LD 1480 proposed to clarify that endangerment of bicyclists and pedestrians is included in the definition of driving to endanger. In addition to other penalties, if the person endangered is a bicyclist or a pedestrian, then the court would suspend the driver's license for 60 days, none of which could be suspended, and impose a fine of not less than \$250, which fine could not be suspended. As proposed, the court would also require that the driver attend and successfully complete a defensive driving course.

Committee Amendment "A" (H-356), the committee minority report, proposed to widen the scope of driving to endanger to include riding a bicycle to endanger. It also proposed to require courts to consider the fact that a person endangered is a bicyclist or pedestrian as an aggravating factor in imposing a sentence.

LD 1485 **An Act to Amend the Laws Regarding Pupil Transportation** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RICHARD	ONTP MAJ	
MITCHELL B	OTP-AM MIN	

LD 1485 proposed to amend the motor vehicle laws to clarify that any motor vehicle carrying more than 10 passengers is classified as a school bus and should meet all the federal and state safety, inspection, construction, lighting, marking and driver licensure requirements of a school bus. The bill also proposed to increase the fee to school bus inspection stations.