

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

LD 1774

Resolve, Regarding Legislative Review of Chapter 299: Highway Driveway and Entrance Rules, Parts A and B, a Major Substantive Rule of the Department of Transportation

RESOLVE 46

<u>Sponsor(s)</u>	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-627
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LD 1774 provided for legislative review of Chapter 299: Highway Driveway and Entrance Rules, Parts A and B, a major substantive rule of the Department of Transportation.

Committee Amendment "A" (H-627) proposed to direct the Department of Transportation to make the following revisions to the Highway Driveway and Entrance Rules, Parts A and B.

1. Limit the application of the noncompact arterial provisions to arterials classified as retrograde arterials or arterial corridors between urban compact areas or service centers that average 5,000 vehicles per day with a posted speed limit of 40 miles per hour or more.
2. Clarify that entrance mitigation provisions apply only when the department determines that the proposed entrance will significantly impact public safety or cause a reduction in the posted speed limit.
3. Revise forestry and farm permit-by-rule provisions to clarify that only the minimum safe-sight standards apply to forestry and farm access. Clarify that the status of a proposed driveway or entrance access as being for forestry and farm activities will be determined by the primary use of the proposed driveway or entrance.
4. Clarify that the limit on the number of entrances per lot on arterials is one 2-way or 2 one-way entrances unless the department determines that more entrances would be safer. Provide an exception to this provision for forestry and farming activities.
5. Reduce and simplify the corner clearance provisions applicable to arterials to a minimum of 125 feet, which can be waived for driveways. Clarify that the department may require greater corner clearance if the department determines it is necessary to prevent a significant impact on public safety or a reduction in the posted speed limit.
6. Simplify the shared-access provisions to clarify the conditions for landowner compliance.

Enacted law summary

Resolve 2001, chapter 46 authorizes final adoption of Chapter 299: Highway Driveway and Entrance Rules, Parts A and B, a major substantive rule of the Department of Transportation. The resolve directs the Department of Transportation to make the following revisions to the Highway Driveway and Entrance Rules, Parts A and B.

1. Limit the application of the noncompact arterial provisions to arterials classified as retrograde arterials or arterial corridors between urban compact areas or service centers that average 5,000 vehicles per day with a posted speed limit of 40 miles per hour or more;
2. Clarify that entrance mitigation provisions apply only when the department determines that the proposed entrance will significantly impact public safety or cause a reduction in the posted speed limit;

Joint Standing Committee on Transportation

3. Revise forestry and farm permit-by-rule provisions to clarify that only the minimum safe-sight standards apply to forestry and farm access. Clarify that the status of a proposed driveway or entrance access as being for forestry and farm activities will be determined by the primary use of the proposed driveway or entrance;
4. Clarify that the limit on the number of entrances per lot on arterials is one 2-way or 2 one-way entrances unless the department determines that more entrances would be safer. Provide an exception to this provision for forestry and farming activities;
5. Reduce and simplify the corner clearance provisions applicable to arterials to a minimum of 125 feet, which can be waived for driveways. Clarify that the department may require greater corner clearance if the department determines it is necessary to prevent a significant impact on public safety or a reduction in the posted speed limit; and
6. Simplify the shared-access provisions to clarify the conditions for landowner compliance.

LD 1777

Resolve, Regarding Legislative Review of Portions of Chapter 1: Vehicle Inspection Manual, a Major Substantive Rule of the Department of Public Safety

**RESOLVE 43
EMERGENCY**

Sponsor(s)

Committee Report
OTP

Amendments Adopted

LD 1777 provided for legislative review of Portions of Chapter 1: Motor Vehicle Inspection Manual, a major substantive rule of the Department of Public Safety.

Enacted law summary

Resolve 2001, chapter 43 authorizes final adoption of Portions of Chapter 1: Motor Vehicle Inspection Manual, a major substantive rule of the Department of Public Safety.

Resolve 2001, chapter 43 was enacted as an emergency measure effective May 31, 2001.

LD 1831

Resolve, to Name the Bridge Between Gardiner and Randolph the Pearl Harbor Remembrance Bridge

RESOLVE 64

Sponsor(s)
FISHER
TREAT

Committee Report

Amendments Adopted

LD 1831 proposed to name the bridge between Gardiner and Randolph the Pearl Harbor Remembrance Bridge.

Enacted law summary

Resolve 2001, chapter 64 names the bridge between Gardiner and Randolph the Pearl Harbor Remembrance Bridge.