

MAINE STATE LEGISLATURE

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*State Of Maine
120th Legislature*

Second Regular Session

Bill Summaries

*Joint Standing Committee
on
Transportation*

May 2002

Members:

*Sen. Christine R. Savage, Chair
Sen. William B. O'Gara
Sen. Kenneth T. Gagnon*

*Rep. Charles D. Fisher, Chair
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
Second Regular Session

Summary Of Legislation Before The Joint Standing Committees
May 2002

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 organized for convenient reference to information on bills considered by the committees. It is arranged alphabetically by committee name and within committees by bill (LD) number.

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:

- 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
PASSED..... Joint Order passed in both bodies
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 Second Regular Session (unless otherwise specified in a particular law) is July 25, 2002.

Patrick T. Norton, Interim Director
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Transportation

Enacted law summary

Public Law 2001, chapter 486 allows a person with a Class C driver's license to operate an antique truck as long as the truck is not being operated in commerce but for recreational, pleasure or show purposes.

LD 1841 **An Act to Allow Sharing of Information to Facilitate Interstate Cooperation Between Toll Agencies** **PUBLIC 473**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FISHER DAGGETT	OTP MAJ ONTP MIN	

LD 1841 proposed to allow the Maine Turnpike Authority to share patron information with other toll agencies in order to facilitate cooperation and interoperability between interstate toll agencies in areas such as electronic toll collection.

Enacted law summary

Public Law 2001, chapter 473 allows the Maine Turnpike Authority to share patron information with other toll agencies in order to facilitate cooperation between interstate toll agencies and technical compatibility in areas such as electronic toll collection.

LD 1844 **An Act to Amend the Motor Vehicle Laws** **PUBLIC 671**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FISHER SAVAGE C	OTP-AM MAJ OTP-AM MIN	H-941 S-524 SAVAGE C

LD 1844 proposed to do the following.

1. It would allow the Secretary of State to suspend a driver's license or vehicle registration for delinquent accounts payable to the Department of the Secretary of State, Bureau of Motor Vehicles.
2. It would allow the Secretary of State to determine the appropriate compensation for 3rd-party agents who issue driver's license renewals.
3. It would place special mobile equipment and tractors into the staggered registration system. At the time of this proposal, for the initial registration, registrants often paid the full annual fee for a partial year.
4. It would provide the Secretary of State with the flexibility of issuing a special credential in lieu of a special plate. The credential would be used primarily to permit motor vehicles on short-term lease to be used for hire without displaying an "H" plate so long as the vehicle is covered by insurance and proper fees have been paid.
5. It would adjust the farm registration weight brackets to conform to the commercial registration weight brackets. Where the brackets have been adjusted, fees are proportional. This provision was intended to be revenue neutral.

Joint Standing Committee on Transportation

6. It would exempt the public or nonprofit organizations that make vehicles available to low-income persons from applying for a title in the organization's name.
7. It would provide the Secretary of State additional flexibility to process title applications in a timely manner when a lienholder has sold its interest in a lien.
8. It would clarify language regarding the filing fee when a licensed dealer is applying for an additional type of dealer license, such as when a new car dealer seeks a motorcycle dealer license.
9. It would allow any public or nonprofit organization that makes vehicles available to low-income persons to obtain a transporter plate in order to move a donated vehicle from point to point.
10. It would clarify that if a dealer is renting or leasing a vehicle or combination of vehicles to a customer, a dealer plate cannot be used on that vehicle and it would clarify the 7-day use law.
11. It would allow a person issued a special restricted license based on work or education need to operate beyond the restriction when accompanied by a licensed operator who has held a valid license for the past 2 consecutive years, is at least 20 years of age, is occupying a seat beside the driver and is licensed to operate the class of vehicle operated by the holder of the special restricted license.
12. It would allow temporary plates to be issued to a trailer or mobile home dealer to affix to a unit a customer has purchased.
13. It would provide for increased fees to defray the additional highway costs caused by over-limit loads.
14. It would clarify that trucks registered for more than 26,000 pounds and Class A special mobile equipment are eligible for excise tax reimbursement. It also would repeal obsolete language relating to the transition to the International Registration Plan.
15. It would allow the State Tax Assessor to appoint the Secretary of State as an agent to collect excise tax for the unorganized territories.

Committee Amendment "A" (H-941) was the majority report of the committee and proposed to add the following provisions to the bill.

1. It would clarify that a school board may obtain a short-term loan or a lease-purchase to acquire school buses if funds that can be used for the initial lease-purchase payment have been appropriated by the unit's legislative body.
2. It would clarify that a person operating an unregistered vehicle may be charged with a traffic infraction or crime. It would change the limit that determines whether or not the penalty is considered a traffic infraction or a crime from 120 to 150 days.
3. It would make the penalties for operating a vehicle with an expired 14-day temporary registration plate consistent with the penalties for operating a vehicle with an expired permanent registration plate.

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4. It would allow the Secretary of State to issue a set of special veterans registration plates in the name of a company under certain conditions.
5. It would allow the surviving spouse of the recipient of special veterans registration plates to use the plates, as long as the surviving spouse remains unmarried.
6. It would clarify that the Secretary of State may issue titles to semitrailers regardless of the age of the semitrailer.
7. It would clarify that the manufacturer's suggested retail price must be printed on titles for used vehicles if the manufacturer's suggested retail price appeared on the previous Maine title.
8. It would clarify that the Secretary of State may reissue a title if the lienholder fails to respond to a request to return the title or lien document.
9. It would establish a process that allows a person to voluntarily request the cancellation of a driver's license when the person is no longer able to operate a motor vehicle safely. The Secretary of State would be authorized to cancel, and not necessarily suspend, the license of a person seeking the cancellation.
10. It would remove the requirement that a person's social security number be displayed on a nondriver identification card. This would not affect state compliance with the minimum requirements of applicable federal laws.
11. It would clarify that the accompanying operator for a permit holder must have held a valid license for the past 2 consecutive years. It also would provide that a person whose license was suspended for medical reasons within the past 2 consecutive years may, with the approval of the Secretary of State, act as the accompanying operator.
12. It would authorize the Secretary of State to approve hands-on motorcycle rider courses for the issuance of endorsements to operate motorcycles.
13. It would clarify that the conditional driver's license provisions apply to residents and nonresidents convicted of operating under the influence in Maine.
14. It would clarify that the excise tax on trucks and truck tractors is based on the purchase price of the vehicle.

Committee Amendment "B" (H-942) was the minority report of the committee. It proposed the same provisions as the majority report except that it proposed to strike the provision that provided for increased fees to defray the additional highway costs caused by over-limit loads. This amendment was not adopted.

House Amendment "A" (H-1009) proposed to strike the provision to provide for increased fees to defray the additional highway costs caused by over-limit loads. This amendment was not adopted.

Senate Amendment "A" to Committee Amendment "A" (S-524) proposed to remove a provision relating to when a school board may obtain a short-term loan or a lease-purchase to acquire school buses in order to prevent a conflict with L.D. 2083, "An Act to Correct Errors and Inconsistencies in the Laws of Maine."

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Enacted law summary

Public Law 2002, chapter 671 does the following.

1. It allows the Secretary of State to suspend a driver's license or vehicle registration for delinquent accounts payable to the Department of the Secretary of State, Bureau of Motor Vehicles.
2. It allows the Secretary of State to determine the appropriate compensation for 3rd-party agents who issue driver's license renewals.
3. It places special mobile equipment and tractors into the staggered registration system. Under the prior law, for the initial registration, registrants often paid the full annual fee for a partial year.
4. It provides the Secretary of State with the flexibility of issuing a special credential in lieu of a special plate. The credential will be used primarily to permit motor vehicles on short-term lease to be used for hire without displaying an "H" plate so long as the vehicle is covered by insurance and proper fees have been paid.
5. It adjusts the farm registration weight brackets to conform to the commercial registration weight brackets. Where the brackets have been adjusted, fees are proportional. This provision is intended to be revenue neutral.
6. It exempts the public or nonprofit organizations that make vehicles available to low-income persons from applying for a title in the organization's name.
7. It provides the Secretary of State additional flexibility to process title applications in a timely manner when a lienholder has sold its interest in a lien.
8. It clarifies language regarding the filing fee when a licensed dealer is applying for an additional type of dealer license, such as when a new car dealer seeks a motorcycle dealer license.
9. It allows any public or nonprofit organization that makes vehicles available to low-income persons to obtain a transporter plate in order to move a donated vehicle from point to point.
10. It clarifies that if a dealer is renting or leasing a vehicle or combination of vehicles to a customer a dealer plate cannot be used on that vehicle and it clarifies the 7-day use law.
11. It allows a person issued a special restricted license based on work or education need to operate beyond the restriction when accompanied by a licensed operator who has held a valid license for the past 2 consecutive years, is at least 20 years of age, is occupying a seat beside the driver and is licensed to operate the class of vehicle operated by the holder of the special restricted license.
12. It allows temporary plates to be issued to a trailer or mobile home dealer to affix to a unit a customer has purchased.
13. It provides for increased fees to defray the additional highway costs caused by over-limit loads.

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14. It clarifies that trucks registered for more than 26,000 pounds and Class A special mobile equipment are eligible for excise tax reimbursement. It also repeals obsolete language relating to the transition to the International Registration Plan.
15. It allows the State Tax Assessor to appoint the Secretary of State as an agent to collect excise tax for the unorganized territories.
16. It clarifies that a person operating an unregistered vehicle may be charged with a traffic infraction or crime. It also changes the limit that determines whether or not the penalty is considered a traffic infraction or a crime from 120 to 150 days.
17. It makes the penalties for operating a vehicle with an expired 14-day temporary registration plate consistent with the penalties for operating a vehicle with an expired permanent registration plate.
18. It allows the Secretary of State to issue a set of special veterans registration plates in the name of a company under certain conditions.
19. It allows the surviving spouse of the recipient of special veterans registration plates to use the plates, as long as the surviving spouse remains unmarried.
20. It clarifies that the Secretary of State may issue titles to semitrailers regardless of the age of the semitrailer.
21. It clarifies that the manufacturer's suggested retail price must be printed on titles for used vehicles if the manufacturer's suggested retail price appeared on the previous Maine title.
22. It clarifies that the Secretary of State may reissue a title if the lienholder fails to respond to a request to return the title or lien document.
23. It establishes a process that allows a person to voluntarily request the cancellation of a driver's license when the person is no longer able to operate a motor vehicle safely. The Secretary of State is authorized to cancel, and not necessarily suspend, the license of a person seeking the cancellation.
24. It removes the requirement that a person's social security number be displayed on a nondriver identification card. This does not affect state compliance with the minimum requirements of applicable federal laws.
25. It clarifies that the accompanying operator for a permit holder must have held a valid license for the past 2 consecutive years. It also provides that a person whose license was suspended for medical reasons within the past 2 consecutive years may, with the approval of the Secretary of State, may act as the accompanying operator.
26. It authorizes the Secretary of State to approve hands-on motorcycle rider courses for the issuance of endorsements to operate motorcycles.
27. It clarifies that the conditional driver's license provisions apply to residents and nonresidents convicted of operating under the influence in Maine.
28. It clarifies that the excise tax on trucks and truck tractors is based on the purchase price of the vehicle.