

# 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  
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Rep. Deborah K. McNeil*

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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 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 arranged alphabetically by committee name 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:

<i>CON RES XXX</i> .....	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i> .....	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i> .....	<i>House &amp; Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i> .....	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i> .....	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i> .....	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i> .....	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i> .....	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i> .....	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i> .....	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i> .....	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i> .....	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i> .....	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i> .....	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PASSED</i> .....	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i> .....	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i> .....	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i> .....	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i> .....	<i>Legislature failed to override Governor's Veto</i>

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

**LD 2018**

**An Act to Amend the Motor Vehicle Laws**

**PUBLIC 687**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FISHER	OTP-AM	H-1032 S-593 GOLDTHWAIT

LD 2018 proposed to amend the motor vehicle laws as follows.

1. It would correct a conflict between 2 sections of law to clarify that a person operating a tractor or trailer used solely for farming purposes does not need an operator's license on a public way between farm lots.
2. It would clarify existing language regarding weighing points so that a sign directing a commercial motor vehicle operator to stop for weighing can be placed on a public way intersecting the way where the weighing point is located.
3. It would create a traffic infraction if a motor vehicle operator fails to remove compacted snow and ice from a vehicle and that compacted snow and ice falls from the vehicle causing personal injury or property damage.
4. It would amend the definition of "blood-alcohol level" to include the equivalent measurement of alcohol in breath.

**Committee Amendment "A" (H-1032)** makes the following changes to the bill.

1. It would strike the provision in the bill that makes it a traffic infraction if a motor vehicle operator fails to remove compacted snow and ice from a vehicle and the snow and ice falls from the vehicle causing personal injury or property damage.
2. It would strike the provision in the bill that amends the definition of "blood-alcohol level" to include the equivalent measurement of alcohol on the breath.
3. It would define an "electric personal assistive mobility device," also known as a Segway, and create provisions governing its operation.
4. It would authorize the Commissioner of Transportation to undertake a 2-year pilot project that provides specified exemptions from specified truck weight requirements for 4-axle trucks hauling certain commodities.
5. It would clarify 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 an accompanying operator.

**Senate Amendment "A" to Committee Amendment "A" (S-593)** was prepared pursuant to action taken by the Legislative Council on March 26, 2002. The amendment would remove legislative members from an advisory committee established to advise the Commissioner of Transportation on matters pertaining to truck weight laws and instead would require the commissioner and the advisory committee to meet with the Joint Standing Committee on Transportation during one of that committee's regularly scheduled meetings during the 2002 legislative interim to update the committee on the progress of those issues.

## Joint Standing Committee on Transportation

### *Enacted law summary*

Public Law 2001, chapter 687 amends the motor vehicle laws as follows.

1. It corrects a conflict between 2 sections to clarify that a person operating a tractor or trailer used solely for farming purposes does not need an operator's license on a public way between farm lots.
2. It clarifies existing language regarding weighing points so that a sign directing a commercial motor vehicle operator to stop for weighing can be placed on a public way intersecting the way where the weighing point is located.
3. It defines an "electric personal assistive mobility device," also known as a Segway, and creates provisions governing its operation.
4. It authorizes the Commissioner of Transportation to undertake a 2-year pilot project that provides specified exemptions from specified truck weight requirements for 4-axle trucks hauling certain commodities. It also requires the commissioner and an advisory committee to meet with the Joint Standing Committee on Transportation during one of that committee's regularly scheduled meetings during the 2002 legislative interim to update the committee on matters pertaining to truck weight laws.
5. It clarifies 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 an accompanying operator.

**LD 2020**

**An Act to Promote the Fiscal Sustainability of the Highway Fund**

**PUBLIC 688**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FISHER	OTP-AM MAJ	H-1042
GAGNON	OTP-AM MIN	

LD 2020 proposed to promote the fiscal sustainability of the Highway Fund by annually indexing motor fuel taxes to reflect inflation, with the new rates taking effect each July 1st, starting in 2003.

**Committee Amendment "A" (H-1042)** was the majority report. It proposed to establish an annual index for motor fuel tax rates that is based on the Consumer Price Index and is retroactive to 1999. This amendment also proposed to require that the Department of Transportation must submit a bill to the Legislature that repeals any forthcoming adjustment in fuel tax rates for each biennium.

**Committee Amendment "B" (H-1043)** was the minority report. It proposed to replace the bill and transfer certain funds from the General Fund to the Highway Fund in order to maintain and enhance highways and bridges. Specifically, this amendment proposed to transfer 13.7% of the sales tax revenue associated with the sale of new or used automobiles or trucks from the General Fund to the Highway Fund. This amendment was not adopted.

**House Amendment "A" (H-1105)** proposed to transfer all the funds in the Maine Learning Technology Endowment to the Highway Fund and would deauthorize the financing arrangements for the endowment. This amendment was not adopted.