

# 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:

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 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.

## Joint Standing Committee on Transportation

**House Amendment "A" to Committee Amendment "A" (H-1109)** proposed to repeal the provisions of the bill, as amended by Committee Amendment "A," effective July 1, 2003. This amendment was not adopted.

**House Amendment "B" (H-1114)** proposed to transfer the balance of the Maine Learning Technology Endowment to the Highway Fund and use the funds to decrease the excise tax imposed on gasoline and special fuels by 3¢ for one year beginning July 1, 2002 and ending June 30, 2003. This amendment also would deauthorize the financing arrangements for the endowment. This amendment was not adopted.

### *Enacted law summary*

Public Law 2001, chapter 688 promotes the fiscal sustainability of the Highway Fund by annually indexing motor fuel taxes to reflect inflation, with the new rates taking effect each July 1<sup>st</sup>. The index is retroactive to 1999. The law also requires the Department of Transportation to submit a bill to the Legislature that repeals any forthcoming adjustment in fuel tax rates for each biennium.

<b>LD 2047</b>	<b>An Act to Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2003</b>	<b>P &amp; S 55</b>
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	S-450

LD 2047 proposed to make allocations from gross revenues of the Maine Turnpike Authority for the payment of the authority's operating expenses for the calendar year ending December 31, 2003 in accordance with the requirements of the Maine Revised Statutes, Title 23, section 1961, subsection 6.

**Committee Amendment "A" (S-450)** added a fiscal note to the bill.

### *Enacted law summary*

Private and Special Law 2001, chapter 55 makes allocations from gross revenues of the Maine Turnpike Authority for the payment of the authority's operating expenses for the calendar year ending December 31, 2003 in accordance with the requirements of the Maine Revised Statutes, Title 23, section 1961, subsection 6.

<b>LD 2064</b>	<b>An Act to Waive the Title Fee for Towed Abandoned Vehicles</b>	<b>PUBLIC 563</b>
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FERGUSON GOOLEY	OTP-AM	S-462

LD 2064 proposed to exempt a towing company from paying a title fee for an abandoned motor vehicle if the towing company tows the vehicle at the request of the State Police and then claims the vehicle and declares that the vehicle is a total loss.