

MAINE STATE LEGISLATURE

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*State Of Maine
121st Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Transportation*

July 2003

Members:

*Sen. Pamela Henderson Hatch, Chair
Sen. Dennis S. Damon
Sen. Christine R. Savage*

Rep. Ronld E. Usher, Chair

Rep. Boyd P. Marley

Rep. Rosaire "Ross" Paradis, Jr.

Rep. Lisa T. Marrache

Rep. Sonya G. Sampson

Rep. Terrence P. McKenney

Rep. Ronald F. Collins

Rep. Deborah K. McNeil

Rep. Arlan R. Jodrey

Rep. William P. Browne

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Maine State Legislature



Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

121st Maine Legislature First Regular Session

Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint 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).

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>CARRIED OVER PURSUANT TO HP 1212</i>	<i>Bills carried over to the 2nd Regular Session</i>
<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 & 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>P&S XXX</i>	<i>Chapter # of enacted Private & 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 that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

David C. Elliott, Director
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Transportation

LD 644

**An Act To Assist Regional Transportation Providers To Comply
with the Booster Seat Law**

PUBLIC 380

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRESSEY SAVAGE	OTP-AM	H-161 H-407 USHER S-226 HATCH PH

LD 644 proposed to require the Department of Public Safety to provide child booster seats to qualified low-income recipients. It also proposed to require that fines issued for a violation of the child booster seat portion of the law not be imposed until January 1, 2004.

Committee Amendment "A" (H-161) proposed to strike language requiring the Department of Public Safety to provide booster seats to qualified low-income people. It proposed to expand the definition of a "federally approved child restraint system" to include lap-belt-only systems and other federally approved devices such as special harnesses and vests. It proposed to allow children over 4'7", regardless of age or weight, to use a vehicle's lap and shoulder belt system instead of a booster seat. It also proposed to exempt nonprofit, municipal or contracted transportation service providers from the booster seat portion of the law until February 1, 2005. It further proposed to require that written warnings be issued for a violation of the booster seat portion of the law until September 1, 2003, after which a fine may be imposed.

House Amendment "A" to Committee Amendment "A" (H-407) proposed to clarify that a nonprofit, municipal or contracted transportation service provider is exempt from securing a child less than 8 years of age and who weighs at least 40 pounds but less than 80 pounds in a federally approved child restraint system, except that the operator shall ensure that the child is properly secured in a seat belt.

House Amendment "B" to Committee Amendment "A" (H-519) proposed to require that a written warning be issued for a violation of the booster seat portion of the law until February 1, 2005, after which a fine may be imposed. (Not adopted)

Senate Amendment "A" (S-226) proposed to remove the emergency preamble and the emergency clause from the bill.

Enacted Law Summary

Public Law 2003, chapter 380 expands the definition of a "federally approved child restraint system" to include lap-belt-only systems and other federally approved devices such as special harnesses and vests. The law allows children over 4' 7", regardless of age or weight, to use a vehicle's lap and shoulder belt system instead of a booster seat. The law also exempts nonprofit, municipal or contracted transportation service providers from securing a child less than 8 years of age and who weighs at least 40 pounds but less than 80 pounds in a federally approved child restraint system until February 1, 2005, except that the operator must ensure that the child is properly secured in a seat belt. The law further requires that written warnings be issued for a violation of the booster seat portion of the law until September 1, 2003, after which a fine may be imposed.