

# 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.*

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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](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>CARRIED OVER PURSUANT TO HP 1212</i> .....	<i>Bills carried over to the 2<sup>nd</sup> 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 &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>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 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 1028**

**An Act To Restrict Use of Auto Dealer Plates**

**PUBLIC 496**

<u>Sponsor(s)</u> MILLS P	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-429
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LD 1028 proposed to require the Secretary of State to reduce the number of dealer plates to one upon the renewal of a motor vehicle dealer license if the motor vehicle dealer sells fewer than 12 vehicles through retail sales in a 12-month period. It would also prohibit the Secretary of State from issuing that motor vehicle dealer a dealer plate for personal use. The bill also proposed that upon second application for license renewal, the motor vehicle dealer is required to return all dealer plates if the dealer sells fewer than 4 vehicles through retail sales in the previous year. The bill further proposed to require a fee of \$300 to be charged for each dealer plate issued for personal use.

**Committee Amendment "A" (H-429)** proposed to strike language from the bill requiring a motor vehicle dealer to pay a \$300 fee for each dealer plate issued for personal use. The amendment also proposed to prevent a motor vehicle dealer who is denied license renewal from reapplying for one year. It would also exempt a motor vehicle dealer who holds an auction business license from the provisions of the bill.

***Enacted Law Summary***

Public Law 2003, chapter 496 requires the Secretary of State to reduce the number of dealer plates to one upon the renewal of a motor vehicle dealer license if the motor vehicle dealer sells fewer than 12 vehicles through retail sales in a 12-month period and prohibits the Secretary of State from issuing a dealer plate for personal use. The law further requires that upon second application for renewal, a motor vehicle dealer must be denied renewal of the license if the dealer sold fewer than 4 motor vehicles through retail sales in the previous license year and prevents a motor vehicle dealer who is denied license renewal from reapplying for one year. This law does not apply to a motor vehicle dealer who holds an auction business license.

**LD 1049**

**An Act to Allow Certain Women Recovering from Childbirth To Be Issued Temporary Handicapped Parking Permits**

**PUBLIC 431**

<u>Sponsor(s)</u> FISCHER DAMON	<u>Committee Report</u> OTP-AM MAJ ONTP MIN	<u>Amendments Adopted</u> H-409
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LD 1049 proposed to authorize the Secretary of State to issue temporary disability placards to certain women who are recovering from childbirth. It would allow temporary placards to be issued for a period of three days in winter for natural childbirth, one week after cesarean section delivery and for a time determined by the patient's physician for a premature birth. It would also require the Secretary of State to provide hospitals with information to be given to maternity patients about the temporary disability placards.

**Committee Amendment "A" (H-409)**, the committee majority report, proposed to limit the issuance of temporary disability placards to a period of one week after cesarean section delivery and to a time determined by the patient's physician for a preterm infant. The amendment also proposed to strike the language from the original bill that would require the Secretary of State to supply hospitals with information about the temporary disability placards.

***Enacted Law Summary***

## *Joint Standing Committee on Transportation*

Public Law 2003, chapter 431 authorizes the Secretary of State to issue temporary disability placards to certain women who are recovering from childbirth. The law allows temporary placards to be issued for a period of one week after cesarean section delivery and for a time determined by the patient's physician for a preterm infant.

**LD 1050**                      **Resolve, To Establish the Task Force to Study the Feasibility of Adding an Interchange for Access to the Lakes Region Area**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRESSEY TURNER	ONTP	

LD 1050 proposed to create the 21-member Task Force to Study the Feasibility of Adding an Interchange for Access to the Lakes Region Area. It proposed to direct the task force to study the traffic flow along Route 302 and examine the feasibility of creating an additional interchange from the Maine Turnpike for access to the lakes region area. It also proposed to require the task force to submit a report of its findings and recommendations to the Joint Standing Committee on Transportation and the Legislative Council no later than December 31, 2003.

**LD 1062**                      **An Act To Protect Lienholders of Titled Vehicles**                      **PUBLIC 295  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RICHARDSON J MAYO	OTP-AM	H-299

LD 1062 proposed to repeal a provision that allows the Secretary of State to assume that any lien against a titled vehicle has been satisfied after 66 months, even if the term of the loan is more than 66 months.

**Committee Amendment "A" (H-299)** replaced the bill. The amendment proposed to require the Secretary of State to provide notice to a lienholder with a lien date more than 66 months old by both regular mail and certified mail, return receipt requested, that the lien will be assumed to be satisfied unless the lienholder objects in writing within 30 days of either receipt of the notice, as evidenced by the return receipt, or 45 days of mailing by the Secretary of State in the event the lienholder refuses delivery of the notice by certified mail.

### *Enacted Law Summary*

Public Law 2003, chapter 295 requires the Secretary of State to provide notice to a lienholder with a lien date more than 66 months old by both regular mail and certified mail, return receipt requested, that the lien will be assumed to be satisfied unless the lienholder objects in writing within 30 days of either receipt of the notice, as evidenced by the return receipt, or 45 days of mailing by the Secretary of State in the event the lienholder refuses delivery of the notice by certified mail.

Public Law 2003, chapter 295 was enacted as an emergency measure effective May 27, 2003.