

# 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*

**Staff:**

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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

**Senate Amendment "B" (S-315)** proposed to reduce the Highway Fund allocation to \$327,000 in fiscal year 2003-2004 for the construction of salt and sand storage facilities that will be owned by the Department of Transportation and for the reimbursement of municipal expense in constructing salt and sand storage facilities.

### *Enacted Law Summary*

Public Law 2003, chapter 502 amends the Highway Fund budget for the 2003-2004 fiscal year to provide \$327,000 in funding for the construction of salt and sand storage facilities that will be owned by the Department of Transportation and for the reimbursement of municipal expense in constructing salt and sand storage facilities.

The law requires the Department of Transportation to report annually to the Department of Environmental Protection regarding expenditures for sand and salt storage areas. The law also exempts the Department of Transportation from violation of best management practice rules governing sand and salt storage adopted by the Department of Environmental Protection if the Department of Transportation complies with the reporting requirements in the Maine Revised Statutes, Title 38, section 451-A.

**LD 1420**

**An Act To Allow the Maine Turnpike Authority To Allow the Purchase of Nontoll Services by Electronic Toll Collection Patrons**

**PUBLIC 311**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HATCH PH USHER	OTP	

LD 1420 proposed to authorize the Maine Turnpike Authority to develop programs that would allow electronic toll collection system patrons to purchase non-toll services with their electronic toll collection system devices.

### *Enacted Law Summary*

Public Law 2003, chapter 311 authorizes the Maine Turnpike Authority to develop programs to allow electronic toll collection system patrons to purchase non-toll services with their electronic toll collection system devices.

**LD 1427**

**Resolve, Requiring That Temporary Registration Plates Identify the Issuing Dealership**

**RESOLVE 38**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SNOWE-MELLO BENNETT R	OTP-AM	H-244

LD 1427 proposed to require that temporary registration plates attached to motor vehicles or trailers by licensed motor vehicle dealers identify the dealership.

**Committee Amendment "A" (H-244)** proposed to replace the bill and proposed to direct the Secretary of State to adopt routine technical rules to establish a process by which a temporary registration plate attached to a motor vehicle or trailer identifies the dealership that attached the plate.

### *Enacted Law Summary*

## Joint Standing Committee on Transportation

Resolve 2003, chapter 38 requires the Secretary of State to adopt routine technical rules to establish a process by which a temporary registration plate attached to a motor vehicle or trailer identifies the dealership that attached the plate.

**LD 1428**                      **An Act To Allow Municipalities To Establish Areas within Which Engine Brakes Are Prohibited**                      **ONTP**

<u>Sponsor(s)</u> ROGERS YOUNGBLOOD		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1428 proposed to allow a municipality to enact an ordinance that prohibits the use of engine brakes by a motor vehicle within the entire municipality or a certain area of the municipality.

**LD 1439**                      **An Act To Protect Young Drivers and Passengers**                      **PUBLIC 286**

<u>Sponsor(s)</u> SAVAGE USHER		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-159
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LD 1439 proposed to establish a 3-step graduated licensing system for new drivers under 21 years of age that would consist of a supervised instruction permit, an intermediate license and an unrestricted license. The bill proposed to make the following specific changes to implement the graduated licensing system:

1. Extend the period a person under 21 years of age must hold an instruction permit from 3 months to 6 months before making application for a driver's license;
2. Repeal the existing interim license laws and enacted a new intermediate license law. The new provisions prohibited a new licensee under 18 years of age from carrying passengers, except designated individuals, and from driving between the hours of 12 a.m. to 5 a.m. for a period of 180 days. The new provisions also required extension of the intermediate license in cases of violations of the conditions by the licensee; and
3. Require mandatory license suspensions for violations occurring during the term of provisional licenses.

**Committee Amendment "A" (S-159)** proposed to prohibit a person who has been issued an instruction permit or an intermediate driver's license from driving while using a mobile telephone. The amendment also proposed to reduce the periods of suspension for violations during the term of provisional licenses.