

# MAINE STATE LEGISLATURE

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*State Of Maine  
121st Legislature*

*Second Regular Session and  
Second Special Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Transportation*

*May 2004*

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*Maine State Legislature*



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

*121st Maine Legislature  
Second Regular Session and  
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*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/billsumm.htm](http://www.state.me.us/legis/opla/billsumm.htm)).

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*
- 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 that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is April 30, 2004; and non-emergency legislation enacted in the Second Special Session is July 30, 2004. Four bills (LD's 1572, 1629, 1636 and 1637) that were considered at the First Special Session in August 2003 are also included in these summaries.

*David C. Elliott, Director*  
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The bill also proposed to extend for one year the reporting and repeal date of the pilot project to simplify truck weight laws enacted by PL 2001, c. 687, §17, to allow sufficient time for project rulemaking and data collection by the Department of Transportation.

**Committee Amendment "A" (S-406)** proposed to strike the language from the bill that would extend for one year the reporting deadline and subsequent repeal of the pilot project to simplify truck weight laws by the Department of Transportation.

**House Amendment "A" (H-748)** proposed to require a pedestrian at a crosswalk to yield the right-of-way to vehicular traffic if it can be reasonably determined that waiting for a break in the traffic would be safer for both the pedestrian and the vehicular traffic. This amendment was not adopted.

### *Enacted Law Summary*

Public Law 2003, chapter 571 amends highway entrance laws by clarifying the intent of regulations affecting maintenance of existing posted speeds on arterial highways and grants the Department of Transportation more flexibility in locating driveways and entrances within breaks in control of access areas.

**LD 1676**                      **An Act To Allow Communications Towers on Land of the Maine Turnpike Authority**                      **PUBLIC 572**

<u>Sponsor(s)</u> HATCH PH	<u>Committee Report</u> OTP	<u>Amendments Adopted</u>
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LD 1676 proposed to remove the requirement that any communications tower built or acquired on property of the Maine Turnpike Authority be used exclusively by the Maine Turnpike Authority.

### *Enacted Law Summary*

Public Law 2003, chapter 572 removes the requirement that any communications tower built or acquired on property of the Maine Turnpike Authority be used exclusively by the Maine Turnpike Authority.

**LD 1677**                      **An Act To Amend the Laws Concerning Automobile Dealer Registration Plates**                      **PUBLIC 544  
EMERGENCY**

<u>Sponsor(s)</u> WESTON ASH	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-382
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LD 1677 proposed to exempt dealers engaged exclusively in the sale of classic autos from the minimum sales requirement of 12 vehicles per year through retail sales in order to obtain a renewal of a dealer license.

**Committee Amendment "A" (S-382)** replaced the bill and proposed to amend the minimum sales requirement of 12 vehicles in order to obtain a renewal of a dealer license by removing the restriction to retail sales only. The

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amendment also proposed to exempt dealers engaged primarily in the sale of classic vehicles, emergency vehicles or industrial or farm equipment from the minimum sales requirement.

### *Enacted Law Summary*

Public Law 2003, chapter 544 amends the minimum sales requirement of 12 vehicles in order to obtain a renewal of a dealer license by removing the restriction to retail sales only. The law also exempts dealers engaged primarily in the sale of classic vehicles, emergency vehicles or industrial or farm equipment from the minimum sales requirement.

Public Law 2003, chapter 544 was enacted as an emergency measure effective March 10, 2004.

**LD 1694**

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

**PUBLIC 633**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HATCH PH USHER	OTP-AM	S-419

LD 1694 proposed to amend the motor vehicle statutes as follows:

1. It removed the requirement that state rules regarding the transportation of hazardous materials that adopt federal rules by reference must contain a brief description of the substance of the referenced federal rule;
2. It allowed all law enforcement officers to enforce disability parking restrictions. It also created a traffic infraction prohibiting a person from parking in a parking space that is clearly marked for use by a physically disabled person only if the person has not been issued a disability registration plate or placard or is not transporting a person who has been issued a disability registration plate or placard;
3. It allowed an employee of the State Police designated as a motor vehicle inspector to immediately suspend or revoke a license issued to any official inspection station or an inspection mechanic for a violation of the laws or rules pertaining to motor vehicle inspections;
4. It clarified that one blue auxiliary light may be displayed and used on the rear of an emergency medical services vehicle, fire department vehicle or hazardous material response vehicle that is visible to approaching traffic from the rear only;
5. It changed the requirements regarding school bus inspections so that each bus must be inspected twice per year at an inspection station, at times set by the State Police in consultation with the Department of Education, and once instead of twice per year by a State Police officer; and
6. It added a cross-reference that was inadvertently omitted regarding prior convictions to be considered for the aggravated punishment category for operating under the influence.

**Committee Amendment "A" (S-419)** proposed to make the following changes to the bill: