

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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Sen. Dennis S. Damon
Sen. Christine R. Savage*

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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
Second Special 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/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
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Transportation

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:

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1. It clarified that only fire department vehicles, and not personally owned vehicles, may be equipped with and display one blue light, that the light must face to the rear and that the light must be primarily visible to approaching traffic from the rear only;
2. It allowed the operator of an authorized emergency vehicle to activate emergency lights for the limited purpose of warning motorists when entering or exiting structures designed to house the emergency vehicles; and
3. It prohibited a person from possessing, operating or allowing the operation of preemptive traffic light devices designed to change traffic lights from red to green or green to red, except for those used in certain authorized emergency vehicles, transit buses and highway maintenance vehicles.

Enacted Law Summary

Public Law 2003, chapter 633 amends the motor vehicle statutes as follows:

1. It removes 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 allows all law enforcement officers to enforce disability parking restrictions. It also creates 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 allows 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 clarifies that only ambulances, emergency medical service vehicles, fire department vehicles or hazardous response vehicles, and not personally owned vehicles, may be equipped with and display one blue light, that the light must face to the rear and that the light must be primarily visible to approaching traffic from the rear only;
5. It changes 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;
6. It adds a cross-reference that was inadvertently omitted regarding prior convictions to be considered for the aggravated punishment category for operating under the influence;
7. It allows the operator of an authorized emergency vehicle to activate emergency lights for the limited purpose of warning motorists when entering or exiting structures designed to house the emergency vehicles; and
8. It prohibits a person from possessing, operating, or allowing the operation of preemptive traffic light devices designed to change traffic lights from red to green or green to red, except for those used in certain authorized emergency vehicles, transit buses and highway maintenance vehicles.