

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
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

LD 1700

An Act To Amend the Motor Vehicle Laws

**PUBLIC 652
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HATCH PH USHER	OTP-AM	H-865 MARLEY S-473

LD 1700 proposed to amend the motor vehicle statutes as follows:

1. It allowed the Secretary of State to issue special disability registration plates for veterans;
2. It added a new registration category to be used for the 4-axle pilot project authorized by Public Law 2001, chapter 687;
3. It required that excise tax be calculated on the actual sales price of trucks, truck tractors and special mobile equipment when the registered weight is more than 26,000 pounds, the sales price is less than the manufacturer's suggested retail price and the vehicle is less than 6 years old; and
4. It corrected a technical error in the funding of a position created in Public Law 2003, chapter 356, which is assigned to the Department of the Secretary of State, Bureau of Motor Vehicles. It moved the allocation from the Bureau of Administrative Services and Corporations to the Bureau of Motor Vehicles Administration account.

Committee Amendment "A" (S-473) replaced the bill and proposed to do the following:

Part A extended the period that dealers and financial institutions have to apply for titles from 20 to 30 days and reduced the late filing fee from \$125 to \$50. It also corrected a technical error in the funding of a position created in Public Law 2003, chapter 356 and moved the Other Special Revenue Funds allocation for the Maine Motor Vehicle Franchise Board from the Bureau of Administrative Services and Corporations to the Bureau of Motor Vehicle Administration account.

Part B proposed to do the following:

1. It created a process for the Secretary of State to issue recognition license plates;
2. It retained the provision in the bill that would allow the Secretary of State to issue special disability registration plates for veterans;
3. It allowed dealers to carry a load on a vehicle or combination of vehicles weighing more than 10,000 pounds while using their dealer plates if the load is in conjunction with the sale or purchase of a motor vehicle, trailer or equipment by the dealership. The load may consist of only one automobile, truck or truck tractor and may consist of multiple trailers or equipment that the dealer is licensed to sell. The dealer would be allowed to purchase more than one permit, which may be renewed annually;

Joint Standing Committee on Transportation

4. It clarified that, in addition to rules, the State shall adopt administrative procedures, practices and policies, organizational structures, internal control mechanisms and resource assignments to ensure compliance with the federal Commercial Motor Vehicle Safety Act of 1986; and
5. It removed the requirement that a representative of the American Automobile Association serve on the Secretary of State's Technical Review Panel for driver education.

Part C allowed the Secretary of State to cancel and not suspend the motor vehicle registration for stored vehicles for which insurance coverage is cancelled, terminated or lapsed effective January 1, 2005.

The amendment also proposed to add an emergency preamble and emergency clause to the bill.

House Amendment "C" to Committee Amendment "A" (H-865) proposed to remove inconsistent language regarding the classification of rules.

Enacted Law Summary

Public Law 2003, chapter 652 amends the motor vehicle statutes as follows:

Part A extends the period that dealers and financial institutions have to apply for titles from 20 to 30 days and reduces the late filing fee from \$125 to \$50. It also corrects a technical error in the funding of a position created in Public Law 2003, chapter 356 and moves the Other Special Revenue Funds allocation for the Maine Motor Vehicle Franchise Board from the Bureau of Administrative Services and Corporations to the Bureau of Motor Vehicle Administration account. This Part was enacted as an emergency measure effective April 22, 2004.

Part B does the following.

1. It creates a process for the Secretary of State to issue recognition license plates;
2. It allows the Secretary of State to issue special disability registration plates for veterans;
3. It allows dealers to carry a load on a vehicle or combination of vehicles while using their dealer plates if the load is in conjunction with the sale or purchase of a motor vehicle, trailer or equipment by the dealership. The load may consist of only one automobile, truck or truck tractor and the load may consist of multiple trailers or equipment that the dealer is licensed to sell. The dealer is allowed to purchase more than one permit, which may be renewed annually;
4. It clarifies that, in addition to rules, the State shall adopt administrative procedures, practices and policies, organizational structures, internal control mechanisms and resource assignments to ensure compliance with the federal Commercial Motor Vehicle Safety Act of 1986; and
5. It removes the requirement that a representative of the American Automobile Association serve on the Secretary of State's Technical Review Panel for driver education.

Part C allows the Secretary of State to cancel and not suspend the motor vehicle registration for stored vehicles for which insurance coverage is cancelled, terminated or lapsed effective January 1, 2005.

Unless otherwise noted above, this law takes effect July 30, 2004.