

# MAINE STATE LEGISLATURE

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*State Of Maine  
122nd Legislature*

*First Regular Session and  
First Special Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Transportation*

*August 2005*

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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 organized by committees 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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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).

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:

- CARRIED OVER ..... Bill Carried Over to Second Regular Session
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
OTP ND/NT..... Committee report Ought To Pass In New Draft/New Title
P&S XXX..... Chapter # of enacted Private & Special Law
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 the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

## *Joint Standing Committee on Transportation*

LD 1429 proposed to change the placement, size and height restrictions on certain freestanding, on-premise signs viewed from a controlled highway. This bill also proposed to eliminate restrictions on changeable signs.

**LD 1430**                      **An Act To Establish Special License Plates To Honor Maine Residents Serving Overseas**                      **CARRIED OVER**

<u>Sponsor(s)</u> PILON SULLIVAN	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 1430 proposes to authorize the issuance of a special registration plate for any service member in Maine who has served on or after September 11, 2001 that will help fund a special fund to assist family members of those serving overseas. The bill also proposes to authorize the issuance of a second special registration plate for those supporting our troops, with funds also going to a special fund to assist family members of those serving overseas. The bill further proposes to direct the Secretary of State to copyright the design of these plates and offer the designs to other states for a fee.

This bill was carried over by H.P. 1203 to any special or regular session of the 122<sup>nd</sup> Legislature.

**LD 1453**                      **Resolve, To Improve Public Safety, Enhance Local Communities and Reduce Transportation Expenses**                      **ONTP**

<u>Sponsor(s)</u> PIOTTI WESTON	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1453 proposed to direct the Department of Transportation to establish a committee within the department to develop a management plan for heavyweight trucks traveling on Maine roads north of Augusta due to the 80,000-pound weight limit on Interstate 95.

**LD 1463**                      **An Act To Amend the Motor Vehicle Laws**                      **PUBLIC 433  
EMERGENCY**

<u>Sponsor(s)</u> MARLEY DAMON	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-600
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LD 1463 proposed to do the following:

1. Make technical changes to the Medical Advisory Board;
2. Clarify that the definition of "immediate family member" includes stepgrandparent, stepbrother, stepsister and stepchild;

## *Joint Standing Committee on Transportation*

3. Eliminate the current reactivation fee of \$10 for registrants who voluntarily surrender or cancel their vehicle registrations;
4. Require that registrants under the 8-year and 12-year semipermanent registration program register a minimum of 5 trailers;
5. Allow for the issuance of vanity firefighter plates and clarify the definition of eligible individuals;
6. Make violation of the vehicle title bond requirements under the Maine Revised Statutes, Title 29-A, section 659 a traffic infraction in conformance with the definition and penalty applied for such infractions by the courts;
7. Exempt vehicles that are not self-propelled and vehicles 10 years or older from the requirement that the vehicle's odometer reading be disclosed at the time the vehicle is transferred to maintain consistency with federal law;
8. Exempt vehicle dealers that primarily sell vehicles more than 15 years old from selling more than one vehicle per month in order to qualify for renewal of dealer plates;
9. Exempt a vehicle dealer from state dealer licensing requirements if the dealer is licensed by another jurisdiction and sells vehicles only to licensed dealers in Maine;
10. Require that all vehicles that have service vehicle plates attached to have the name of the licensed dealership on the sides of the vehicle;
11. Change odometer fraud from a Class D to a Class C crime;
12. Make operating a motor vehicle on Pickerel Pond a traffic infraction to maintain consistency in the designation of offenses in the motor vehicle laws;
13. Amend the definition of "school bus" to ensure that Maine is in conformance with federal law; and
14. Allow the Secretary of State to suspend a registration if the registrant fails to provide information on the registration application as required under Title 29-A, section 401.

### **Committee Amendment "A" (H-600)** proposed to do the following:

1. Add an emergency preamble and emergency clause to the bill;
2. Remove language from the bill that requires registrants under the 8-year and 12-year semipermanent registration program to register a minimum of 5 trailers;
3. Remove language from the bill that would allow the issuance of vanity firefighter plates;
4. Clarify that the definition of "school bus" does not include a private school activity bus;
5. Expand insurance fraud reporting immunity protection to state law enforcement officers;

## *Joint Standing Committee on Transportation*

6. Authorize the Secretary of State to issue special commemorative decals for use with special veterans registration plates to applicants awarded the Korea Defense Service Medal, the Global War on Terrorism Medal, the Iraq Campaign Medal and the Afghanistan Campaign Medal;
7. Require the State to comply with applicable federal laws governing commercial driver's licenses;
8. Require a person electing to pay a driver's license reinstatement fee electronically to pay the fee associated with the electronic transmittal;
9. Authorize the Secretary of State to provide a copy of a driving history covering more than 3 years for a fee of \$10;
10. Create fines for a new resident who fails to register a motor vehicle within 30 days of establishing residency;
11. Prohibit a person with a juvenile provisional license from operating a motor vehicle with any amount of alcohol in the blood;
12. Define "access aisle" and prohibits a person from parking in the access aisle; and
13. Clarify that a vehicle operating under the provisions of an overweight permit is not subject to the tire width requirement of 600 pounds per inch of tire width.

### *Enacted law summary*

Public Law 2005, chapter 433 does the following:

1. It makes technical changes to the Medical Advisory Board;
2. It clarifies that the definition of "immediate family member" includes stepgrandparent, stepbrother, stepsister and stepchild;
3. It eliminates the current \$10 reactivation fee for registrants who voluntarily surrender or cancel their vehicle registrations;
4. It makes a violation of the vehicle title bond requirements under the Maine Revised Statutes, Title 29-A, section 659 a traffic infraction in conformance with the definition and penalty applied for such infractions by the courts;
5. It exempts vehicles that are not self-propelled and vehicles 10 years or older from the requirement that the vehicle's odometer reading be disclosed at the time the vehicle is transferred to maintain consistency with federal law;
6. It exempts vehicle dealers that primarily sell vehicles more than 15 years old from selling more than one vehicle per month in order to qualify for renewal of dealer plates;
7. It exempts a vehicle dealer from state dealer licensing requirements if the dealer is licensed by another jurisdiction and sells vehicles only to licensed dealers in Maine;

## *Joint Standing Committee on Transportation*

8. It requires that all vehicles that have service vehicle plates attached to have the name of the licensed dealership on the sides of the vehicle;
9. It changes odometer fraud from a Class D to a Class C crime;
10. It makes operating a motor vehicle on Pickerel Pond a traffic infraction to maintain consistency in the designation of offenses in the motor vehicle laws;
11. It amends the definition of "school bus" to ensure that Maine is in conformance with federal law, while clarifying that the definition of "school bus" does not include a private school activity bus;
12. It allows the Secretary of State to suspend a registration if the registrant fails to provide information on the registration application as required under Title 29-A, section 401;
13. It expands insurance fraud reporting immunity protection to state law enforcement officers;
14. It authorizes the Secretary of State to issue special commemorative decals for use with special veterans registration plates to applicants awarded the Korea Defense Service Medal, the Global War on Terrorism Medal, the Iraq Campaign Medal and the Afghanistan Campaign Medal;
15. It requires the State to comply with applicable federal laws governing commercial driver's licenses;
16. It requires a person electing to pay a driver's license reinstatement fee electronically to pay the fee associated with the electronic transmittal;
17. It authorizes the Secretary of State to provide a copy of a driving history covering more than 3 years for a fee of \$10;
18. It creates fines for a new resident who fails to register a motor vehicle within 30 days of establishing residency;
19. It prohibits a person with a juvenile provisional license from operating a motor vehicle with any amount of alcohol in the blood;
20. It defines "access aisle" and prohibits a person from parking in the access aisle; and
21. It clarifies that a vehicle operating under the provisions of an overweight permit is not subject to the tire width requirement of 600 pounds per inch of tire width.

Public Law 2005, chapter 433 was enacted as an emergency measure effective June 23, 2005.