

# 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 1464**

**An Act To Amend the Laws Relating to Motorized Scooters,  
Motor-driven Cycles and Mopeds**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAMPSON SAVAGE		H-626

LD 1464 proposes to amend current law regarding 2-wheeled and 3-wheeled vehicles and off-road vehicles as follows:

1. It amends the definition of "moped" by establishing criteria for wheel number and size and electric-powered motors;
2. It repeals the definition of "motorcycle" and replaces it with a definition that establishes criteria for wheels and electric-powered motors;
3. It repeals the definition of "motor-driven cycles";
4. It amends the definition of "motorized scooter" by establishing criteria for wheel number and size and electric-powered motors;
5. It defines the term "off-road vehicle" and prohibits the operation of an off-road vehicle on a public way unless operation is authorized by statute;
6. It amends the definition of "scooter" by excluding scooters that are powered by motors;
7. It enacts a provision that off-road vehicles may not be registered under the Maine Revised Statutes, Title 29-A;
8. It removes references in Title 29-A to motor-driven cycles;
9. It eliminates the requirement that businesses that sell motor-driven cycles be licensed as motor vehicle dealers;
10. It removes a reference to motorized scooter under vehicles that are regulated as bicycles or toy vehicles;
11. It establishes a provision to treat off-road vehicles operated on ways the same as all-terrain vehicles operated on ways; and
12. It establishes a provision to make it a traffic infraction to operate an off-road vehicle on a public way or parking area.

**Committee Amendment "A" (H-626)** proposes to amend the definitions of "motorcycle" and "moped" to include criteria for wheel size and electric powered motors. It also proposes to clarify that the definition of a motor vehicle does not include an all-terrain vehicle unless the all-terrain vehicle is issued a special registration permit in accordance with the Maine Revised Statutes, Title 29-A, section 501. It further proposes to clarify that an all-terrain vehicle is not subject to licensing provisions under Title 29-A, chapter 11 unless the all-terrain vehicle is issued a special registration permit in accordance with Title 29-A, section 501.

## *Joint Standing Committee on Transportation*

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

**LD 1544**                      **An Act To Exempt Vehicles Hauling Equipment Used for Timber Harvesting from Certain Restrictions Posted on Roads**                      **ONTP**

<u>Sponsor(s)</u> JACKSON BRYANT B	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1544 proposed to exempt vehicles used in Aroostook County, Piscataquis County, Somerset County, Washington County, Oxford County and Franklin County for the trucking of equipment used in timber harvesting operations from restrictions placed on roads concerning weight, speed, operation and equipment on weekends during the months of June through August.

**LD 1571**                      **An Act To Allow Certain Modifications of Motor Vehicles**                      **PUBLIC 276**

<u>Sponsor(s)</u> COLLINS DOW	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-457
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LD 1571 proposed to provide that a vehicle with or without antilock brakes may be modified, including the installation of larger tires, with proof of an electronic control module or electronic control unit reprogramming or recalibration, when applicable. This bill also proposed to permit the installation of vehicle-specific engineered systems and components.

**Committee Amendment "A" (H-457)** replaced the bill and proposed to provide that a motor vehicle may be modified, including the suspension and tires.

### *Enacted law summary*

Public Law 2005, chapter 276 provides that a motor vehicle may be modified, including the suspension and tires. The law also clarifies that a motor vehicle may not be operated on a public way or receive a certificate of inspection with a frame end height lower than the vehicle was originally manufactured if originally manufactured to be less than 10 inches.

**LD 1576**                      **An Act To Amend the Motor Vehicle Laws Relating to the Assignment of Security Interests**                      **PUBLIC 234  
EMERGENCY**

<u>Sponsor(s)</u> SAVAGE	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-185
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