

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

Second Regular Session

Bill Summaries

*Joint Standing Committee
on
Transportation*

July 2006

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Sen. Bill Diamond
Sen. Christine R. Savage*

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Maine State Legislature



Office of Policy and Legal Analysis Office of Fiscal and Program Review

122nd Maine Legislature Second Regular 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 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 (Pocket Veto).....	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 August 23, 2006.

Joint Standing Committee on Transportation

LD 1430

An Act To Establish Special License Plates To Honor Maine Residents Serving Overseas

ONTP

<u>Sponsor(s)</u> PILON SULLIVAN	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1430 proposed to authorize the issuance of a special registration plate for any service member in Maine who has served on or after September 11, 2001. The proceeds of the sale of these plates would go to a special fund to assist family members of those serving overseas. It also proposed to authorize the issuance of a special registration plate for those supporting our troops, and these funds also would go to a special fund to assist family members of those serving in the war or for similar purposes requiring special funds. The bill also proposed to direct the Secretary of State to copyright the design of these plates and offer the designs to other states for a fee.

LD 1464

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

**PUBLIC 577
EMERGENCY**

<u>Sponsor(s)</u> SAMPSON SAVAGE	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-730 H-747 MCKENNEY
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LD 1464 proposed to amend the law regarding 2-wheeled and 3-wheeled vehicles and off-road vehicles.

The bill proposed to:

1. Amend the definition of "moped" and "motorized scooter" by including criteria for wheel size and electric-powered motors;
2. Repeal the definition of "motorcycle" and replaces it with a definition that includes criteria for wheels and electric-powered motors;
3. Repeal the definition of "motor-driven cycles";
4. Establish a definition of "off-road vehicle;" off-road vehicles, because of their size, shape, design and configuration, may not be operated on a public way unless operation is authorized by statute;
5. Amend the definition of "scooter" by excluding scooters that are powered by motors;
6. Enact a provision that off-road vehicles may not be registered under the Maine Revised Statutes, Title 29-A;
7. Remove references in Title 29-A to motor-driven cycles;
8. Eliminate the requirement that businesses that sell motor-driven cycles be licensed as motor vehicle dealers;
9. Remove a reference to motorized scooter under vehicles that are regulated as bicycles or toy vehicles;

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10. Establish a provision to treat off-road vehicles operated on ways the same as all-terrain vehicles operated on ways; and
11. Establish a provision to make it a traffic infraction to operate an off-road vehicle on a public way or parking area.

Committee Amendment "B" (H-730) proposed to amend the definitions of "motorcycle" and "moped" to include criteria for wheel size and electric-powered motors. This amendment also proposed 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. The amendment also proposed 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.

The amendment also proposed to reflect changes necessitated by laws enacted in the First Special Session of the 122nd Legislature.

House Amendment "A" (H-747) proposed to require the operator of a motorized scooter have a valid license of any class. The amendment also proposed to allow municipalities to prohibit the use of motorized scooters on public ways. The amendment proposed to require motorized scooters to follow the same rules of the road as bicycles. The amendment proposed to maintain the current law that prohibits motorized scooters from being operated at a speed in excess of 20 miles per hour.

Enacted law summary

Public Law, chapter 577 amends current law regarding 2-wheeled and 3-wheeled vehicles and off-road vehicles. The bill:

1. Amends the definition of "moped" and "motorized scooter" by including criteria for wheel size and electric-powered motors;
2. Repeals the definition of "motorcycle" and replaces it with a definition that includes criteria for wheels and electric-powered motors;
3. Repeals the definition of "motor-driven cycles";
4. Establishes a definition of "off-road vehicle." Off-road vehicles, because of their size, shape, design and configuration, may not be operated on a public way unless operation is authorized by statute;
5. Amends the definition of "scooter" by excluding scooters that are powered by motors;
6. Enacts a provision that off-road vehicles may not be registered under the Maine Revised Statutes, Title 29-A;
7. Removes references in Title 29-A to motor-driven cycles;
8. Eliminates the requirement that businesses that sell motor-driven cycles be licensed as motor vehicle dealers;
9. Removes a reference to motorized scooter under vehicles that are regulated as bicycles or toy vehicles;

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10. Establishes a provision to treat off-road vehicles operated on ways the same as all-terrain vehicles operated on ways;
11. Establishes a provision to make it a traffic infraction to operate an off-road vehicle on a public way or parking area;
12. Clarifies 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;
13. Clarifies 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;
14. Requires the operator of a motorized scooter to have a valid license of any class;
15. Allows municipalities to prohibit the use of motorized scooters on public ways; and
16. Requires motorized scooters to follow the same rules of the road as bicycles.

Public Law, chapter 577 was enacted as an emergency measure effective April 13, 2006.

LD 1696

An Act To Clarify the Assessment of Costs To Maintain a Private Way or Bridge

PUBLIC 479

<u>Sponsor(s)</u> DIAMOND BRYANT M	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-450
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LD 1696 proposed to provide that the assessment for the repair or maintenance of a private way or bridge is applied proportionally on the owners according to their assessed valuation for property tax.

Committee Amendment "A" (S-450) proposed to provide that the assessment for the repair or maintenance of a private way or bridge is applied proportionally on the owners according to their assessed valuation for property tax. The amendment proposed to clarify that the assessed valuation for property tax is on each owner's parcel that is benefited by the private way or bridge.

Enacted law summary

Public Law 2005, chapter 479 clarifies that the assessed valuation for property tax is on each owner's parcel that is benefited by the private way or bridge. It also provides that the assessment for repair or maintenance of a private way or bridge is applied proportionally on the owners according to their assessed valuation for property tax.