

# 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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**Members:**

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Sen. Bill Diamond  
Sen. Christine R. Savage*

*Rep. Boyd P. Marley, Chair  
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Rep. Douglas A. Thomas*

# 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](http://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 1702**

**An Act To Increase Efficiency in Truck Hauling**

**PUBLIC 478  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARR RAYE	OTP-AM	H-749

LD 1702 proposed to increase the length limit of trailers and semitrailers hauling sawdust, shavings or wood chips from 48 feet to 53 feet, as long as the overall length does not exceed 74 feet when combined with the truck. The wheelbase axle distance must remain the same as that of a 48-foot trailer or semitrailer.

**Committee Amendment "A" (H-749)** proposed to eliminate the 53-foot access system designated by the Commissioner of Transportation, allowing a single semitrailer whose total structural length exceeds 48 feet but does not exceed 53 feet to be operated in combination with a truck tractor on the highway network if safety standards and conditions are met. The amendment also proposed to clarify the Department of Transportation's rule-making authority to limit or prohibit access by semitrailers to certain highways to ensure safety.

***Enacted law summary***

Public Law 2005, chapter 478 eliminates the 53-foot access system designated by the Commissioner of Transportation, allowing a single semitrailer whose total structural length exceeds 48 feet but does not exceed 53 feet to be operated in combination with a truck tractor on the highway network if safety standards and conditions are met. It also clarifies the Department of Transportation's rule-making authority to limit or prohibit access by semitrailers to certain highways to ensure safety.

Public Law 2005, chapter 478 was enacted as an emergency measure effective March 8, 2006.

**LD 1706**

**An Act To Prohibit Parking in Access Aisles**

**PUBLIC 528  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARLEY	OTP-AM MAJ OTP-AM MIN	H-765

LD 1706 proposed to prohibit anyone from parking in an access aisle, which is defined as a space that is clearly marked and immediately adjacent to a parking space designated and clearly marked for persons with physical disabilities.

Current law prohibits persons who do not possess disability registration plates or removable windshield placards from parking in disability parking spaces or access aisles. The law, however, does not prohibit persons with disability plates or placards from parking in access aisles.

**Committee Amendment "A" (H-764)**, the committee majority report, proposed to add a fine of not less than \$100 and not more than \$500 for persons who illegally park in a disability parking space or an access aisle. This amendment also proposed to provide that municipalities and places of public accommodation that are required by law to have disability parking space access aisles shall post a sign adjacent to and visible from each access aisle.

## *Joint Standing Committee on Transportation*

This amendment also proposed to change the term "handicapped parking space" to "disability parking space."

**Committee Amendment "B" (H-765)**, the committee minority report, proposed to increase the fine to not less than \$200 and not more than \$500 for persons who illegally park in a disability parking space or an access aisle. This amendment also proposed to provide that the registered owner of a vehicle illegally parked in an access aisle commits a traffic infraction and is also subject to a fine. The amendment proposed to provide for defenses for the registered owner of the vehicle found to be illegally parked in an access aisle. Finally, the amendment proposed to change the term "handicapped parking space" to "disability parking space."

**Senate Amendment "A" to Committee Amendment "A" (S-473)** proposed to add an appropriations and allocations section to Committee Amendment "A".

### *Enacted law summary*

Public Law 2005, chapter 528 prohibits anyone, including persons who have been issued a disability registration plate or removable placard, from parking in an access aisle, which is defined as a space that is clearly marked and immediately adjacent to a parking space designated and clearly marked for persons with physical disabilities. The law also increases the fine for persons who illegally park in a disability parking space or access aisle to not less than \$200 and not more than \$500.

Anyone who observes a vehicle illegally parked in a disability parking space or an access aisle may report the violation to a law enforcement officer. The officer shall initiate an investigation and, if possible, contact the registered owner of the motor vehicle involved and request that the registered owner supply information identifying the operator. The law provides that the registered owner of a vehicle illegally parked in an access aisle commits a traffic infraction and is subject to a fine. However, the law does provide for defenses for the registered owner of the vehicle found to be illegally parked in an access aisle.

Public Law 2005, chapter 528 was enacted as an emergency measure effective April 4, 2006.

**LD 1730**

### **An Act To Ensure Business Equity in Commercial Vehicle Registration**

**PUBLIC 501**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLANCHARD	OTP-AM    MAJ	H-782
PERRY J	OTP-AM    MIN	

LD 1730 proposed to require the registration in Maine of all construction and road maintenance vehicles being rented in Maine for operation on public ways.

**Committee Amendment "A" (H-782)**, the committee majority report, proposed to replace the bill. Currently, all special mobile equipment used on public ways must be registered in this State. The amendment proposed to clarify that special mobile equipment that is rented from a location in Maine or outside Maine must be registered in Maine, regardless of the location of the main office or headquarters of the owner of the equipment. The amendment also proposed to make a technical correction to the section on special mobile equipment.

**Committee Amendment "B" (H-783)**, the committee minority report, proposed to replace the bill. Currently, all special mobile equipment used on public ways must be registered in this State. The amendment proposed to