

# MAINE STATE LEGISLATURE

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*State Of Maine  
122nd Legislature*

*Second Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Transportation*

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**Staff:**

*Karen Nadeau-Drillen, Legislative Analyst*

*Office of Policy and Legal Analysis  
13 State House Station  
Augusta, ME 04333  
(207) 287-1670*

*Lock Kiermaier, Legislative Analyst*

*Office of Fiscal and Program Review  
5 State House Station  
Augusta, ME 04333  
(207)287-1635*

**Members:**

*Sen. Dennis S. Damon, Chair  
Sen. Bill Diamond  
Sen. Christine R. Savage*

*Rep. Boyd P. Marley, Chair  
Rep. Charles D. Fisher  
Rep. Rosaire "Ross" Paradis, Jr.  
Rep. Sonya G. Sampson  
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Rep. Ronald F. Collins  
Rep. William P. Browne  
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

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

## *Joint Standing Committee on Transportation*

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 proposed to provide that special mobile equipment that is carried by a towing vehicle to a construction project and then used on a public way only to construct or repair that public way is exempt from registration. However, the exempt equipment must be operated only within the boundaries of a closed way. In addition, the owner of special mobile equipment that is exempt from registration must maintain motor vehicle financial responsibility. The amendment also proposed to make a technical correction to the section on special mobile equipment.

### ***Enacted law summary***

Public Law 2005, chapter 501 clarifies 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 makes a technical correction to the section on special mobile equipment.

**LD 1731**                      **An Act To Require That New Road Construction or Repair  
Include Sidewalks or Bikeways or Both**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRAVEN ROTUNDO	ONTP	

LD 1731 proposed to require bikeways and pedestrian ways be established in conjunction with the construction or reconstruction of a state road.

**LD 1732**                      **An Act To Protect Real Estate Values Impaired by Railroad  
Operations**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FINCH	ONTP	

LD 1732 proposed to require a railroad company to offer to purchase any residential property located within 1,000 feet of a railroad grade crossing where horns or whistles are sounded that remains on the market for more than one year.