

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature coming from the

JOINT STANDING COMMITTEE ON TRANSPORTATION

July 2007

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STATE OF MAINE

123RD LEGISLATURE

FIRST REGULAR SESSION

LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS



This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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 (or Accepted ONTP report).....	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.....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

Please note that the effective date for non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Transportation

LD 6 Resolve, Directing the Department of Transportation To Improve CARRIED OVER
Guardrails on Portions of Interstate 295

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

This resolve directs the Department of Transportation to inspect the guardrails on Interstate 295 north from Exit 8 to Exit 9 and along Interstate 295 south from the mile 8 marker to the bridge that crosses Veranda Street in Portland and to take action necessary to ensure that they meet current safety standards.

This bill was carried over to any special or regular session of the 123rd Legislature by joint order, H.P. 1369.

LD 7 Resolve, To Require the Department of Transportation To Accept a ONTP
Traffic Light in Portland

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

This resolve directs the Department of Transportation to accept a traffic light that has been built by the City of Portland at the corner of Plymouth Street and Allen Avenue.

LD 8 An Act To Limit the Duration of a Legal Alien's Driver's License ONTP

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

The bill requires an applicant for a driver's license or nondriver identification card to provide proof of citizenship or documentation that the applicant is a legal resident in the United States. The bill limits the duration of a legal alien's driver's license or nondriver identification card to the duration of the visa granted to the legal alien by the authority of the United States.

LD 9 An Act To Continue the Axle Weight Law Changes beyond September PUBLIC 453
15, 2007 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THOMAS	OTP-AM	H-48

Recently enacted law (Public Law 2005, chapter 426) amended the calculation of tandem axle weight fines for 6-axle trucks hauling special commodities to provide that the lower of the fines specified in statute applies. It also amended the axle weight fine schedules to eliminate relatively steep fine increases for smaller violations for trucks hauling forest products and it also eliminated axle weight fine violations during the months of January and February on most state roads. The changes made by that recently enacted law are scheduled to sunset September 15, 2007. This bill repeals the sunset.

Committee Amendment "A" (H-48)

Joint Standing Committee on Transportation

This committee amendment adds an emergency preamble and emergency clause to the bill and adds a sunset of September 15, 2009 to that portion of law that eliminates axle weight fine violations during the months of January and February on most state roads.

Enacted Law Summary

Public Law 2007, chapter 453, amends recently enacted law relating to axle weights. The recently enacted law (Public Law 2005, chapter 426) amended the calculation of tandem axle weight fines for 6-axle trucks hauling special commodities to provide that the lower of the fines specified in statute applies. It also amended the axle weight fine schedules to eliminate relatively steep fine increases for smaller violations for trucks hauling forest products and it eliminated axle weight fine violations during the months of January and February on most state roads. These provisions were scheduled to sunset September 15, 2007. Chapter 453 bill repeals this sunset except with respect to the provision that eliminates axle weight fine violations during the months of January and February on most state roads; chapter 543 establishes a sunset of September 15, 2009 for that provision of the law.

Public Law 2007, chapter 453 was enacted as an emergency measure effective June 28, 2007.

LD 13 *Resolve, To Return Swanville Road in Frankfort to State Road* **ONTP**
Classification

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

This resolve directs the Department of Transportation to take over the maintenance, repair and upkeep of Swanville Road in Frankfort, since the usage of that road has increased substantially over the years. It also directs the department to take the appropriate steps to reclassify the town road as a state road.

LD 14 *Resolve, To Direct the Department of Transportation To Better Ensure* **ONTP**
the Safety of Students Traveling to and from School in Waterboro

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

This resolve directs the Department of Transportation to install bicycle lanes on 2 specific lengths of road in the Town of Waterboro to ensure the safety of students traveling to and from School Administrative District 57 Middle School and Waterboro Elementary School.

LD 17 *Resolve, To Transfer the Cliff Island Wharf from the City of Portland* **ONTP**
to the Department of Transportation

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

This resolve allows the Department of Transportation to accept the transfer of the Cliff Island Wharf from the City of Portland.