

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 18 An Act To Streamline Permitting for and Encourage the Business of Showing Vehicles ONTP

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

This bill extends from 30 days to 90 days the length of time allowed by an attended sales promotion permit for dealers to show vehicles at expositions in the State. It also allows the permit to be used at any location in the State instead of at only one location.

LD 19 Resolve, To Reduce Traffic Congestion and Improve Safety on Interstate 295 ONTP

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

This resolve directs the Maine Turnpike Authority, in consultation with the Department of Transportation, to develop tolling strategies designed to divert truck through traffic from Interstate 295 onto the Maine Turnpike.

LD 23 An Act To Clarify the Use and Purpose of Center Turn Lanes PUBLIC 8

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVAGE C	OTP	

This bill clarifies the intent of and proper use of a 2-way traffic lane to allow a motorist to turn safely onto a public way from an entrance or driveway.

Enacted Law Summary

Public Law 2007, Chapter 8 clarifies the intent of and proper use of a 2-way traffic lane to allow a motorist to turn safely onto a public way from an entrance or driveway.

LD 24 An Act To Make Failure To Wear a Seat Belt a Primary Offense PUBLIC 60

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVAGE C	OTP MAJ ONTP MIN	S-35 SAVAGE C

Current law prohibits the enforcement of the seat belt law unless the driver has been stopped for a violation of another law. This bill repeals that prohibition, allowing a police officer to detain and cite a vehicle operator or passenger 18 years of age or older solely for failing to wear a seat belt.

Senate Amendment "A" (S-35)

This amendment prohibits searches of vehicles and occupants solely because of a violation of the mandatory

Joint Standing Committee on Transportation

seat belt law. It also provides that a person detained solely for a violation of the mandatory seat belt law before April 1, 2008 may only be issued a warning.

Enacted Law Summary

Public Law 2007, chapter 60 makes failure to wear a seat belt a primary offense for which a police officer may detain and cite a vehicle operator or passenger 18 years of age or older. It prohibits searches of vehicles and occupants solely because of a violation of the mandatory seat belt law. It also provides that a person detained solely for a violation of the mandatory seat belt law before April 1, 2008 may only be issued a warning.

**LD 55 An Act To Amend the Law Regarding a License To Operate an
Attended or Unattended Sales Promotion**

**PUBLIC 5
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMITH N DAMON	OTP-AM	H-18

This bill clarifies that a vehicle or industrial equipment dealer who operates an attended sales promotion at an agricultural fair or other agricultural event is exempt from obtaining a dealer license only if the sales promotion does not include motor vehicles.

Committee Amendment "A" (H-18)

The committee amendment replaces the bill and adds an emergency preamble and emergency clause. This amendment extends the length of time allowed by an attended sales promotion permit for dealers to show vehicles at expositions in the State from 30 days to 90 days. It also allows the permit to be used at any location in the State instead of only one location. The amendment also exempts equipment dealers or trailer dealers from the attended and unattended sales promotion permit requirements if the sales promotion does not include motor vehicles and does not exceed 90 continuous days.

Enacted Law Summary

Public law 2007, chapter 5 extends the length of time allowed by an attended sales promotion permit for dealers to show vehicles at expositions in the State from 30 days to 90 days. It also allows the permit to be used at any location in the State instead of only one location. The amendment also exempts equipment dealers or trailer dealers from the attended and unattended sales promotion permit requirements if the sales promotion does not include motor vehicles and does not exceed 90 continuous days.

Public law 2007, chapter 5 was enacted as an emergency effective March 14, 2007.

**LD 56 An Act To Allow Farm Trucks That Weigh over 9,000 Pounds To Be
Eligible for Specialty License Plates**

ONTP

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

This bill allows a farm truck that weighs more than 9,000 pounds to be issued a specialty license plate.