

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
123<sup>RD</sup> LEGISLATURE  
FIRST REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON TRANSPORTATION**

July 2007

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# STATE OF MAINE

123<sup>RD</sup> 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 123<sup>rd</sup> 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 84**      **An Act To Standardize Documentation Requirements for a Driver's License or Nondriver Identification Card**      **ONTP**

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

This bill requires an applicant for a driver's license or nondriver identification card to provide the Secretary of State written proof, evidence or documentation that the applicant's presence in the United States is authorized under federal law if the applicant is ineligible to receive a social security number.

**LD 85**      **Resolve, To Designate a Portion of U.S. Route 1 in Indian Township Passamaquoddy Indian Reservation as the Captain Tomah Lewey Memorial Highway**      **RESOLVE 2**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SOCTOMAH RAYE	OTP	

This resolve names the portion of U.S. Route 1 that goes through Indian Township Passamaquoddy Indian Reservation from Princeton to Topsfield as the Captain Tomah Lewey Memorial Highway in honor of one of the first permanent residents of Indian Township.

**Enacted Law Summary**

Resolve 2007, chapter 2 names the portion of U.S. Route 1 that goes through Indian Township Passamaquoddy Indian Reservation from Princeton to Topsfield as the Captain Tomah Lewey Memorial Highway in honor of one of the first permanent residents of Indian Township.

**LD 89**      **An Act To Repeal the Automatic Increase in the Gasoline Tax**      **ACCEPTED ONTP REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COURTNEY	ONTP MAJ OTP-AM MIN	

This bill repeals the annual inflation indexing of the excise tax on motor fuel. The bill also amends the relevant statutes to reflect the current rate of tax as changed by inflation indexing.

**Committee Amendment "A" (S-293)**

This amendment, the minority report of the committee, incorporates a fiscal note.

**LD 95**      **An Act To Require Notification when a Vehicle Is Towed**      **ONTP**

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

## *Joint Standing Committee on Transportation*

This bill, a concept draft pursuant to Joint Rule 208, proposes to amend the current law to establish a procedure to notify a lienholder of a towed motor vehicle in order for the lienholder to gain possession of the vehicle to prevent its abandonment and allow the lienholder to retrieve the vehicle before fees for towing and storage reach an amount worth more than the vehicle's value.

**LD 112      An Act To Create a One-time Fee for Veterans Vanity Registration Plates**

**ACCEPTED ONTP  
REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
AUSTIN TURNER	ONTP MAJ OTP-AM MIN	

This bill creates a one-time fee for veterans vanity motor vehicle registration plates in place of the current annual fee.

**Committee Amendment "A" (H-16)**

This amendment, which is the minority report of the committee, incorporates a fiscal note.

**LD 113      An Act To Establish a Recreational Vehicle Veterans Registration Plate**

**ONTP**

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

This bill establishes a recreational vehicle veterans registration plate.

**LD 114      An Act To Prohibit the Use of a Handheld Cellular Telephone while Operating a Motor Vehicle**

**ACCEPTED ONTP  
REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERUBE BARTLETT	ONTP MAJ OTP-AM MIN	

This bill prohibits the use of a handheld cellular telephone while operating a motor vehicle. The bill clarifies that drivers of authorized emergency vehicles, including law enforcement officers, corrections officers and firefighters; holders of commercial driver's licenses; physicians; municipal public works personnel; Maine Turnpike Authority personnel; and state transportation personnel, including all employees and contractors of the Department of Transportation, may use handheld cellular telephones while driving within the scope of their employment. The bill makes the offense a traffic infraction.

**Committee Amendment "A" (H-464)**

This amendment, which is the minority report of the Joint Standing Committee on Transportation, replaces the bill. The amendment defines "distracted" and makes it a Class E crime to drive while distracted. The amendment also imposes a fine of \$300 for the first offense of driving while distracted and a suspension of a person's license for 30 days for a 2nd offense within 3 years of the first offense. This amendment also amends the title to reflect the content of the amendment.