

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

STAFF:

KAREN NADEAU-DRILLEN, LEGISLATIVE ANALYST
JON CLARK, DEPUTY DIRECTOR
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
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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 133 An Act To Require Seat Belts on All School Buses ONTP

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

This bill requires that new school buses purchased after January 1, 2008 must be equipped with safety seat belts for use by all passengers.

**LD 159 RESOLUTION, Proposing an Amendment to the Constitution of Maine
To Dedicate a Portion of Vehicle Registration Fees To Fund Veterans'
Cemeteries ONTP**

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

This constitutional resolution provides that 50¢ of the revenue derived from the registration of each vehicle must be expended solely to fund veterans' cemeteries.

LD 160 An Act To Provide Safe All-terrain Vehicle Access on Public Ways PUBLIC 33

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARLEY	OTP-AM	H-25

This bill allows the Department of Transportation more flexibility in providing safe access for ATV users within the public way by determining how and where ATV access occurs on a case-by-case basis.

Committee Amendment "A" (H-25)

The amendment gives municipalities, in addition to the Department of Transportation, more flexibility in determining how and where ATV access occurs. The amendment also requires that ATVs travel in the same direction as motor vehicle traffic on a public way designated as an ATV-access route.

Enacted Law Summary

Public Law 2007, chapter 33 gives municipalities and the Department of Transportation more flexibility in determining how and where ATV access to public ways occurs. The amendment also requires that ATVs travel in the same direction as motor vehicle traffic on a public way designated as an ATV-access route.

**LD 161 An Act To Prohibit the Use of Electronic Devices by Minors while
Driving PUBLIC 272**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HOGAN	OTP-AM	H-348

This bill prohibits a person who has not attained 18 years of age from using a cellular telephone while operating a motor vehicle. The bill makes the offense a traffic infraction.

Joint Standing Committee on Transportation

Committee Amendment "A" (H-348)

This amendment replaces the bill and amends the title to reflect the content of the amendment. This amendment retains the provision of the bill prohibiting a person who has not attained 18 years of age from operating a motor vehicle while using a mobile telephone, but expands that prohibition to include handheld electronic devices that are not part of the operating equipment of a motor vehicle.

Enacted Law Summary

Public Law 2007, chapter 272 prohibits a person who has not attained 18 years of age from operating a motor vehicle while using a mobile telephone or while using a handheld electronic device that is not part of the operating equipment of a motor vehicle.

LD 173 **An Act To Allow a Newspaper Carrier To Use Flashing Amber Lights on That Carrier's Vehicle**

PUBLIC 11

Sponsor(s)

FINLEY

Committee Report

OTP

Amendments Adopted

This bill authorizes the use of flashing amber lights on newspaper delivery carriers' vehicles.

Enacted Law Summary

Public Law 2007 chapter 11 authorizes the use of flashing amber lights on newspaper delivery carriers' vehicles.

LD 180 **An Act To Provide for a Change in Gender Designation on a Driver's License BY REQUEST**

ONTP

Sponsor(s)

DOW

Committee Report

ONTP

Amendments Adopted

This bill requires a person to notify the Secretary of State with confirmation from a physician when that person has reassigned gender and directs the Secretary of State to adopt rules to determine the process for changing a person's reassigned gender on the person's driver's license.

LD 181 **Resolve, To Reduce the Cost of Moving Modular Homes and Increase Traffic Safety**

ONTP

Sponsor(s)

HASTINGS

Committee Report

ONTP

Amendments Adopted

This resolve directs the Maine Turnpike Authority to issue a permit for the movement of a modular home with a load height up to 14 feet, 6 inches on portions of the Maine Turnpike with clearances of 15 feet or higher when the movement either originates or has a destination in the State.