

# 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 546      Resolve, Directing the Department of Transportation To Amend Its Rules Regarding Noise Abatement Costs      ONTP**

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

Under the existing statewide noise policy adopted by the Department of Transportation, there is an abatement cost limit of \$20,000 per affected property. This resolve requires that the cost limit be adjusted by a factor that represents the annual inflation adjustment for each year since the statewide noise policy was adopted and directs that the amount thereafter be adjusted annually for inflation.

**LD 561      Resolve, To Direct the Department of Transportation To Establish a Rest Area on U.S. Route 9 between Calais and Brewer      ONTP**

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

This resolve directs the Department of Transportation to establish and maintain a rest area with bathroom facilities on U.S. Route 9 approximately halfway between the cities of Brewer and Calais.

**LD 576      Resolve, To Examine Issues Related to Distracted Driving      RESOLVE 86**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BABBIDGE	OTP-AM   MAJ ONTP   MIN	H-349

This resolve requires law enforcement agencies to inform the Department of Public Safety of motor vehicle incidents, accidents, violations and warnings from October 1, 2007 to September 30, 2008 in which cellular telephones were involved. This resolve requires the Department of Public Safety to study the role that cellular telephones may have played in contributing to motor vehicle accidents, using the information received from law enforcement agencies as well as from insurance companies, and to report its findings and recommended legislation to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters by January 15, 2009, with the committee having authority to submit legislation based upon the findings of the study.

**Committee Amendment "A" (H-349)**

This amendment, which is the majority report of the Joint Standing Committee on Transportation replaces the resolve and changes the title to reflect the content of the amendment. The resolve directed the Department of Public Safety to study the effect of cellular telephone use on motor vehicle accidents. The amendment directs the department to analyze available data, including data generated from its planned upgrades of crash reports that will include fields for specific distractions and any other relevant data that may be available to the department, to determine the role various types of distractions play in motor vehicle accidents. It also directs the department to develop recommendations for strengthening laws relating to distracted driving. The department is directed to submit an interim report that includes recommended legislation to strengthen laws related to distracted driving to the joint standing committee of the Legislature having jurisdiction over transportation matters by January 15, 2009. The department is directed to provide a final report on the data it has collected and its analysis of that data together with any further recommended legislation related to distracted driving to the joint standing committee of the Legislature having jurisdiction over transportation matters by January 15, 2010. The joint standing committee of the Legislature having jurisdiction over transportation matters is authorized to submit legislation related to the department's report to

## *Joint Standing Committee on Transportation*

the First and Second Regular Sessions of the 124th Legislature.

### **Enacted Law Summary**

Resolve 2007, chapter 86, directs the Department of Public Safety to analyze available data to determine the role various types of distractions play in motor vehicle accidents. It also directs the department to develop recommendations for strengthening laws relating to distracted driving. The department is directed to submit an interim report that includes recommended legislation to strengthen laws related to distracted driving to the joint standing committee of the Legislature having jurisdiction over transportation matters by January 15, 2009. The department is directed to provide a final report on the data it has collected and its analysis of that data together with any further recommended legislation related to distracted driving to the joint standing committee of the Legislature having jurisdiction over transportation matters by January 15, 2010. The Transportation Committee is authorized to submit legislation related to the department's report to the First and Second Regular Sessions of the 124th Legislature.

**LD 592      An Act To Waive Tolls on the Maine Turnpike for People Who Are  
Traveling for Treatment of Catastrophic Illnesses**

**ACCEPTED ONTP  
REPORT**

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

This bill allows a person to travel on the Maine Turnpike free of charge if that person is a Maine resident and is traveling on the turnpike for treatment of a catastrophic illness. It is modeled after Public Law 2005, chapter 472, which was enacted last session and allowed free ferry service for people traveling on ferries for treatment of catastrophic illnesses.

**LD 599      An Act To Create an Airport Authority**

**CARRIED OVER**

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

This bill, a concept draft pursuant to Joint Rule 208, proposes creation of an airport authority to regulate aviation.

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

**LD 625      Resolve, To Establish a Commission To Study the Feasibility of the  
State's Acquiring the Golden Road**

**ONTP**

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

This resolve establishes the Commission To Study the Feasibility of the State's Acquiring the Golden Road.