

# 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*

1999.

### **Committee Amendment "A" (H-164)**

This amendment replaces the bill. The amendment changes the law governing how repairs of private ways may be made and paid for by owners of parcels of land on certain private ways; it provides that a "repair" which owners may agree to make and charge to all owners includes paving only if in a location where limited paving is demonstrated to be a cost-effective approach for fixing an erosion problem or paving to repair pavement existing as of July 1, 2007.

### **Enacted Law Summary**

Public Law 2007, chapter 162 changes the law governing how repairs of private ways may be made and paid for by owners of parcels of land on certain private ways; it provides that a "repair" which owners may agree to make and charge to all owners includes paving only if in a location where limited paving is demonstrated to be a cost-effective approach for fixing an erosion problem or paving to repair pavement existing as of July 1, 2007.

**LD 1277      *Resolve, To Study the Feasibility of Off-road Bike and Walking Paths along the Busiest Commuting Corridors in the State*      ONTP**

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

This resolve requires the Department of Transportation to conduct a study on the feasibility, benefits and cost of constructing a network of off-road bike and walking paths along the commuting corridors with the highest volume of traffic in the State.

**LD 1301      *An Act To Require All Construction Vehicles To Have a Backup Sensor*      ONTP**

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

This bill requires a construction vehicle to be equipped with a backup sensor.

**LD 1304      *An Act Relative to Motor Vehicles and Floats Operated in Parades*      ACCEPTED ONTP REPORT**

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

This bill exempts a person operating a vehicle or a float in a parade from the obligation to secure passengers in seat belts.

### **Committee Amendment "A" (S-133)**

This amendment, which is the minority report of the Joint Standing Committee on Transportation, replaces the bill and changes the title to reflect the content of the amendment. This amendment provides that a person may not operate an outrigger float in a parade with a person riding on the float unless the float is equipped with a continuous

## *Joint Standing Committee on Transportation*

railing enclosing the perimeter of the platform, 3 feet or more in height and enclosed in a manner that would reasonably prevent passage of a child. The amendment defines "outrigger float" as a float constructed in a manner that results in any wheels of the truck or trailer on which the platform is mounted extending beyond the edge of the platform. Violation of this provision is a traffic infraction.

**LD 1329     An Act To Allow Municipalities To Set Speed Limits on Certain Roads**

**ACCEPTED ONTP  
REPORT**

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

This bill makes it easier for a municipality to set a speed limit on a local road and allows a small municipality to set such a limit.

**LD 1330     An Act To Promote School Zone Safety**

**ACCEPTED ONTP  
REPORT**

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

The bill adds hand signals and hand-held traffic control signs used by school crossing guards to the motor vehicle laws governing traffic control devices. The bill also doubles the fines of various traffic violations if the violations are committed in a school zone, with half of the fine going into the School Zone Safety Fund, established to promote school zone safety and fund school zone safety projects. This bill defines "school crossing guard" and gives crossing guards the authority to report violations that occur in a school zone to law enforcement officers. The registered owner of the vehicle may be found liable for a vehicle violation that takes place in a school zone.

**Committee Amendment "A" (H-245)**

This amendment is the minority report of the Joint Standing Committee on Transportation. This amendment incorporates a fiscal note.

**LD 1337     Resolve, To Assist in Appropriate Notification in an Emergency**

**ONTP**

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

This bill directs the Secretary of State to create a program in which a person applying for or receiving their driver's license can provide emergency contact information in case of an accident or emergency.

**LD 1343     An Act To Encourage Vanpooling and Carpooling**

**ONTP**

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