

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

The bill defines "distracted" and makes it a Class E crime to drive while distracted. The bill 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.

LD 1609 An Act To Require the Review of Utility Pole Placement during Road Improvement **ONTP**

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

This bill requires the Department of Transportation to review the placement of utility poles within the right-of-way of a state highway or a state aid highway when that state highway or state aid highway is reconstructed or substantially improved. This review must focus on safety for motorists in the placement of utility poles.

LD 1709 Resolve, To Establish a Pilot Project for the Enforcement of Laws Regarding Traffic Control Devices **ONTP**

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

This resolve requires the Department of Transportation to implement a pilot project in Biddeford to encourage motorists to obey traffic control devices, including the use of cameras to photograph violators and their vehicles. The department is also required to determine statutory changes that would lead to the deterrence of such violations, such as making it a strict liability crime.

The department is required to submit a report, including the results of the project and recommended implementing legislation, to the Joint Standing Committee on Transportation no later than January 15, 2008.

LD 1719 Resolve, To Improve Regional Transportation in Greater Portland **ONTP**

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

The resolve directs the Greater Portland Council of Governments to establish a regional transportation working group to merge the Greater Portland Transit District bus service with the University of Southern Maine's commuter bus system between the Portland and Gorham campuses into one transportation system. This resolve allocates funds from the General Fund for the University of Southern Maine to implement an expanded bus system in the Greater Portland area.

LD 1720 Resolve, Directing the Department of Transportation and the Maine Turnpike Authority To Conduct a Study of Possible Western Connector Roads to Municipal Centers in Cumberland and York Counties **RESOLVE 95**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARSTOW	OTP-AM MAJ ONTP MIN	H-487

Joint Standing Committee on Transportation

This resolve directs the Department of Transportation and the Maine Turnpike Authority to study the potential strategies for enhancing connections from Route 1 and the Maine Turnpike to municipal centers in York and Cumberland counties and to report their findings back to the Joint Standing Committee on Transportation by February 28, 2008.

Committee Amendment "A" (H-487)

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

Enacted Law Summary

Resolve 2007, chapter 95 directs the Department of Transportation and the Maine Turnpike Authority to study the potential strategies for enhancing connections from Route 1 and the Maine Turnpike to municipal centers in York and Cumberland counties and to report their findings back to the Joint Standing Committee on Transportation by February 28, 2008.

LD 1726 RESOLUTION, Proposing an Amendment to the Constitution of Maine CARRIED OVER
To Guarantee the Integrity of the Highway Fund

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

This constitutional resolution amends the Constitution of Maine to prohibit expenditures or transfers from the Highway Fund for any purpose other than those purposes specifically related to highways.

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

LD 1748 An Act Regarding Street Rods and Custom Vehicles ONTP

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

This bill amends the definitions of "custom vehicle" and "street rod" in the laws governing motor vehicles to provide that a custom vehicle or street rod be maintained primarily for use in exhibitions, club activities, parades and other functions of public interest and not used as its owner's primary mode of transportation of passengers or goods. It amends the definition of "custom vehicle" to provide that such a vehicle be at least 25 years old or manufactured to resemble a motor vehicle that is at least 25 years old rather than at least 30 years old or manufactured to resemble a motor vehicle that is at least 30 years old as under current law and to eliminate the requirement that such a vehicle be of a model year after 1948 or manufactured to resemble a motor vehicle of a model year after 1948. It provides that only a motor vehicle that is maintained primarily for use in exhibitions, club activities, parades and other functions of public interest and is not used as its owner's primary mode of transportation of passengers or goods may be registered pursuant to the Maine Revised Statutes, Title 29-A, section 457. It provides that an owner of a custom vehicle may use contemporary plates on that vehicle. It eliminates an alternative method of registering custom vehicles and clarifies that custom vehicles, horseless carriages, street rods and antique motorcycles are exempt from motor vehicle inspection requirements.