

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
123<sup>RD</sup> LEGISLATURE  
SECOND REGULAR AND FIRST SPECIAL SESSIONS



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

**JOINT STANDING COMMITTEE ON TRANSPORTATION**

May 2008

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**STATE OF MAINE**  
123<sup>RD</sup> LEGISLATURE  
SECOND REGULAR & FIRST SPECIAL SESSIONS



**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 Second Regular or First Special Sessions of the 123<sup>rd</sup> Maine Legislature.

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:

<i>CON RES XXX</i> .....	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i> .....	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i> .....	<i>House &amp; Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i> .....	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i> .....	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i> .....	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i> .....	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i> .....	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i> .....	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i> .....	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i> .....	<i>Bill Indefinitely Postponed; bill died</i>
<i>ONTP (or Accepted ONTP report)</i> .....	<i>Ought Not To Pass report accepted; bill died</i>
<i>P&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PUBLIC XXX</i> .....	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i> .....	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i> .....	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i> .....	<i>Legislature failed to override Governor's Veto</i>

The effective date for non-emergency legislation enacted in the Second Regular Session (R2) is June 30, 2008. The effective date for non-emergency legislation enacted in the First Special Session (S1) is July 18, 2008.<sup>1</sup> The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills. Any bill summarized in this document having an LD number less than 1932 was a bill carried over from the First Regular Session of the 123<sup>rd</sup> Legislature.

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<sup>1</sup> The session in which each law was enacted or finally passed (R2 or S1) is included in Appendix C.

# Joint Standing Committee on Transportation

## LD 2019 An Act To Make Capital Rail Improvements for Economic Development

PUBLIC 677

### Purposes

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARLEY	OTP-AM MAJ ONTP MIN	H-906

This bill, beginning July 1, 2009, dedicates a percentage of sales and use tax revenue to the State Transit, Aviation and Rail Transportation Fund, also known as the STAR Transportation Fund, to support transit, aeronautics and rail transportation, including the Downeaster train service.

### Committee Amendment "A" (H-906)

This amendment, which is the majority report, replaces the bill. The amendment, beginning July 1, 2009, dedicates a percentage of sales tax revenue imposed on the value of rental for a period of less than one year of an automobile to the State Transit, Aviation and Rail Transportation Fund, also known as the STAR Transportation Fund, to support transit, aeronautics and rail transportation, including the Downeaster train service.

### Enacted Law Summary

Public Law 2007, chapter 677, beginning July 1, 2009, dedicates a percentage of sales tax revenue imposed on the value of rental for a period of less than one year of an automobile to the State Transit, Aviation and Rail Transportation Fund, also known as the STAR Transportation Fund, to support transit, aeronautics and rail transportation, including the Downeaster train service.

## LD 2022 An Act To Designate Certain Rules of the Bureau of State Police as Major Substantive Rules

PUBLIC 505

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROWNE	OTP-AM MAJ ONTP MIN	H-701

This bill clarifies that the Department of Public Safety, Bureau of State Police rule-making authority designation regarding the adoption of any federal regulation or amendments to ensure proper enforcement of motor carrier safety is major substantive.

### Committee Amendment "A" (H-701)

This amendment, which is the majority report of the Joint Standing Committee on Transportation, replaces the bill. Current law provides that the Department of Public Safety, Bureau of State Police may adopt rules to incorporate by reference Federal Motor Carrier Safety Administration regulations and that the Maine Administrative Procedure Act does not apply to the adoption by reference of federal motor carrier safety regulations in the Maine Revised Statutes, Title 29-A, section 555.

The amendment provides that a rule adopted by the bureau is a major substantive rule if it adopts by reference any provision of certain Federal Motor Carrier Safety Administration regulations that would result in a modification of the substance or effect of any amendment to federal motor carrier safety regulations adopted by the bureau and in effect on the effective date of the bill or adopts an amendment to those federal motor carrier safety regulations.

### Enacted Law Summary

Current law provides that the Department of Public Safety, Bureau of State Police may adopt rules to incorporate by reference Federal Motor Carrier Safety Administration regulations and that the Maine Administrative Procedure Act

## Joint Standing Committee on Transportation

does not apply to the adoption by reference of federal motor carrier safety regulations in the Maine Revised Statutes, Title 29-A, section 555.

Public Law 2007, chapter 505 provides that a rule adopted by the bureau is a major substantive rule if it adopts by reference any provision of certain Federal Motor Carrier Safety Administration regulations that would result in a modification of the substance or effect of any amendment to federal motor carrier safety regulations adopted by the bureau and in effect on the effective date of this Act or adopts an amendment to those federal motor carrier safety regulations.

### LD 2040 An Act To Ban the Use of Liquid Calcium Chloride on Roads

ONTP

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

This bill bans the use of liquid calcium chloride on all roads in the State for snow removal.

### LD 2075 An Act To Amend Motor Vehicle Laws

PUBLIC 703

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARLEY	OTP-AM	H-1045

This bill:

1. Amends the long-term trailer registration requirements to provide administrative flexibility for the extension of long-term trailer registrations. This allows the Secretary of State to adopt rules consistent with current accounting procedures;
2. Amends the disability plate law to allow a registered nurse to approve an application;
3. Corrects a title fee to charge the regular title fee when issuing a new title due to change in branding; and
4. Amends the permit fee for a long-term overweight permit to be consistent with trip permit fees adopted in 2001.

#### Committee Amendment "A" (H-913)

This amendment provides that one dollar collected for each specialty registration plate initial contribution and annual renewal contribution must be deposited into a specialty license plate fund established for the purposes of covering the costs of manufacturing and producing specialty or recognition license plates. The amendment also provides that \$10 collected for each sportsman registration plate initial contribution and \$5 collected for each sportsman registration plate renewal contribution must be deposited into the Highway Fund. The amendment also makes technical changes to provide consistency throughout the specialty registration plate statutes.

The amendment also provides that violations of certain federal regulations applicable to commercial motor vehicle carriers and operators are traffic infractions under Maine law.

The amendment also removes conflicting language from the for-hire insurance requirement provisions.

The amendment also clarifies that the overlimit permit exemption for the transportation of poles applies to utility