

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

**STATE OF MAINE**  
124<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during  
the First Regular Session of the 124<sup>th</sup> Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON TRANSPORTATION**

July 2009

**STAFF:**

KAREN NADEAU-DRILLEN, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670  
&  
SUZANNE ROY, 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. JOSEPH C. PERRY  
SEN. WALTER R. GOOLEY  
  
REP. EDWARD J. MAZUREK, CHAIR  
REP. GEORGE HOGAN  
REP. ANN E. PEOPLES.  
REP. CHARLES KENNETH THERIAULT  
REP. CHARLES W. HARLOW  
REP. MICHAEL E. CAREY  
REP. WILLIAM P. BROWNE  
REP. DOUGLAS A. THOMAS  
REP. RICHARD M. CEBRA  
REP. KIMBERLEY C. ROSEN

# STATE OF MAINE

124<sup>TH</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 124<sup>th</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:

CARRIED OVER.....	Carried over to a subsequent session of the Legislature
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; bill died
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted; bill died
P&S XXX.....	Chapter # of enacted Private & Special Law
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

The effective date for non-emergency legislation enacted in the First Regular Session of the 124<sup>th</sup> Legislature is September 12, 2009. 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

## Enacted Law Summary

Public Law 2009, chapter 315 clarifies the responsibility of private culvert replacement and repair on a state right-of-way. When the department determines a culvert replacement is required for an existing driveway, entrance or approach located within the highway limits as part of a capital highway or ditching project or emergency response effort where the culvert replacement is required to reestablish access to an abutting property, the department is responsible for the cost of the replacement. When the department determines a culvert replacement is not required for an existing driveway, entrance or approach located within the highway limits, the abutter is responsible for the cost of any replacement.

The law also clarifies the definition of "interstate highway," "interstate system" and "interstate highway system."

### LD 133 An Act To Allow a Duplicate Vanity License Plate in a Different Classification of Plate

ONTP

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

This bill repeals the prohibition that vanity plates may not duplicate vanity plates issued in another class of plate.

### LD 145 An Act To Require the Secretary of State To Notify Vehicle Owners of Impending Registration Expiration

ONTP

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

This bill requires the Secretary of State to notify the owner or owners of a registered vehicle at least 30 days prior to the expiration of the vehicle's annual registration. The bill also increases the annual registration fee for an automobile, pickup truck or sport utility vehicle by \$1, from \$35 to \$36.

### LD 152 An Act Relating to Autocycles

PUBLIC 55

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

This bill defines an autocycle as an enclosed, 3-wheeled motorcycle with certain additional safety equipment and establishes provisions for registration, operator licensing and limitations on operation of an autocycle. An autocycle would be allowed to operate only on roads with a posted speed limit of 45 miles per hour or less. An autocycle may not be designed or used primarily for the transport of cargo or materials.

### Committee Amendment "A" (H-25)

## *Joint Standing Committee on Transportation*

This amendment provides that an autocycle may be equipped with a roll bar or enclosed cab in order to meet the general safety inspection standards. The amendment provides that an autocycle may only transport cargo in compliance with manufacturer specifications. The amendment removes the requirement for protective headgear. The amendment removes the requirement that a person operating an autocycle must possess a valid operator's license of any class with a motorcycle endorsement or a motorcycle operator's license, and clarifies that a person operating an autocycle must possess a valid operator's license. Finally, the amendment requires the Secretary of State to submit a report to the 125th Legislature regarding autocycles and repeals the provisions of law regarding autocycles 90 days after adjournment of the First Regular Session of the 125th Legislature.

### **Enacted Law Summary**

Public Law 2009, chapter 55 provides that an autocycle may be equipped with a roll bar or enclosed cab in order to meet the general safety inspection standards. It provides that an autocycle may only transport cargo in compliance with manufacturer specifications. It also clarifies that a person operating an autocycle must possess a valid operator's license. Finally, it requires the Secretary of State to submit a report to the 125th Legislature regarding autocycles and repeals the provisions of law regarding autocycles 90 days after adjournment of the First Regular Session of the 125th Legislature.

**LD 169      An Act To Allow a Newly Licensed Driver To Transport a Foreign Exchange Student Who Lives with That Driver's Family**

**PUBLIC 10  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PLOWMAN DIAMOND	OTP	S-3    PLOWMAN

This bill allows a person under 18 years of age to transport a foreign exchange student that is living with that person's family.

### **Senate Amendment "A" (S-3)**

This amendment adds an emergency preamble and emergency clause to the bill.

### **Enacted Law Summary**

Public Law 2009, chapter 10 allows a person under 18 years of age to transport a foreign exchange student that is living with that person's family.

Public Law 2009, chapter 10 was enacted as an emergency measure effective March 23, 2009.

**LD 178      An Act To Create the Support Animal Welfare Registration Plate**

**PUBLIC 73**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING J	OTP-AM	S-8

This bill creates the Support Animal Welfare special registration plate. Proceeds from the plate would be divided equally between the animal welfare auxiliary fund and the Companion Animal Sterilization Fund, both of which are administered by the Department of Agriculture, Food and Rural Resources.