

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
FIRST REGULAR SESSION



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

JOINT STANDING COMMITTEE ON TRANSPORTATION

July 2009

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STATE OF MAINE

124TH 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 124th 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 124th 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

LD 435 Resolve, Directing the Department of Transportation To Install a Traffic Light at an Intersection in Sabattus

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOSTIE NUTTING J	ONTP	

This resolve directs the Department of Transportation to install a traffic signal at the intersection of Route 132 and Route 126 where they connect to Pleasant Hill Road in the Town of Sabattus.

LD 436 An Act To Include Trucks in the Definition of "Low-speed Vehicle"

PUBLIC 42

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THERIAULT JACKSON	OTP-AM	H-24

This bill amends the definition of "low-speed vehicle" to mean a 4-wheeled motor vehicle so that it includes trucks as well as automobiles. This bill removes language regarding ATVs, since the definition of "motor vehicle" already excludes ATVs.

Committee Amendment "A" (H-24)

This amendment retains language regarding ATVs to clarify that low-speed vehicles do not include ATVs. This amendment also increases the weight limit for low-speed vehicles to the maximum permitted by federal rule.

Enacted Law Summary

Public Law 2009, chapter 42 amends the definition of "low-speed vehicle" to mean a 4-wheeled motor vehicle so that it includes trucks as well as automobiles. It also increases the weight limit for low-speed vehicles to the maximum permitted by federal rule.

LD 437 An Act To Require a Person under 18 Years of Age To Wear a Helmet While on a Motorcycle

PUBLIC 50

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

This bill changes the age under which a motorcycle operator or passenger is required to wear protective headgear from under 15 years of age to under 18 years of age. This change would bring the headgear requirements for motorcycle operators or passengers into conformity with the headgear requirements for snowmobile operators or passengers on trails funded by the Snowmobile Trail Fund and ATV operators or passengers.

Enacted Law Summary

Public Law 2009, chapter 50 changes the age under which a motorcycle operator or passenger is required to wear

Joint Standing Committee on Transportation

protective headgear from under 15 years of age to under 18 years of age. This change brings the headgear requirements for motorcycle operators or passengers into conformity with the headgear requirements for snowmobile operators or passengers on trails funded by the Snowmobile Trail Fund and ATV operators or passengers.

LD 451 An Act To Clarify the Law Regarding Reinstatement of a Driver's License

PUBLIC 58

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRIGGS BRYANT B	OTP-AM	H-38

This bill requires that upon the suspension of a driver's license, the court or the Secretary of State inform the driver that the license will be reinstated only upon payment of the reinstatement fee.

Committee Amendment "A" (H-38)

This amendment, which replaces the bill, excludes a conviction for "operating after suspension" as an offense used to define "habitual offender" when the suspension upon which the conviction is predicated is based solely on failure to pay a reinstatement fee.

Enacted Law Summary

Public Law 2009, chapter 58 excludes a conviction for "operating after suspension" as an offense used to define "habitual offender" when the suspension upon which the conviction is predicated is based solely on failure to pay a reinstatement fee.

LD 452 An Act To Include the Town of Falmouth as a Member of the Greater Portland Transit District

**PUBLIC 18
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NELSON ALFOND	OTP	

This bill includes the Town of Falmouth as a member of the Greater Portland Transit District. The bill authorizes other municipalities located wholly or partially in the Portland Area Comprehensive Transportation System to apply and be accepted for membership in the Greater Portland Transit District. The bill also authorizes the representation of those municipalities on the board of directors of the Greater Portland Transit District to be determined by mutual agreement between the municipality and the board of directors of the Greater Portland Transit District. The bill also defines "Portland Area Comprehensive Transportation System."

Enacted Law Summary

Public Law 2009, chapter 18 includes the Town of Falmouth as a member of the Greater Portland Transit District. It authorizes other municipalities located wholly or partially in the Portland Area Comprehensive Transportation System to apply and be accepted for membership in the Greater Portland Transit District. It also authorizes the representation of those municipalities on the board of directors of the Greater Portland Transit District to be determined by mutual agreement between the municipality and the board of directors of the Greater Portland Transit District. The law also defines "Portland Area Comprehensive Transportation System."

Public Law 2009, chapter 18 was enacted as an emergency measure effective April 3, 2009.