

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 878 An Act To Change the Status of the Road System at the Loring Development Authority

**ACCEPTED ONTP
REPORT**

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

This bill allows the Loring Development Authority to enter into service contracts and to participate in the Rural Road Initiative with the Department of Transportation.

Committee Amendment "A" (H-140)

This amendment, which is the minority report of the Joint Standing Committee on Transportation, clarifies that the Loring Development Authority may participate in the Urban-Rural Initiative Program with the Department of Transportation and that the authority's eligibility is not contingent upon acceptance of its roads as town ways by the Town of Limestone.

LD 907 An Act To Amend the Speed Limits for Low-speed Vehicles

**ACCEPTED ONTP
REPORT**

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

This bill amends the law regarding low-speed vehicles.

1. It increases the minimum and maximum speeds for low-speed vehicles to 30 and 35 miles per hour, respectively. It also eliminates a cross-reference to the federal regulations concerning low-speed vehicles since under those regulations the maximum attainable speed is 25 miles per hour.

2. It allows low-speed vehicles to be operated on streets or roads having a maximum posted speed limit of 45 miles per hour, instead of the current limit of 35 miles per hour.

3. It requires the operator of a low-speed vehicle to move to the side of the road, when it is safe and practicable to do so, to allow a line of 7 or more vehicles directly behind the low-speed vehicle to pass.

LD 920 An Act To Reduce Noise Pollution

ONTP

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

Joint Standing Committee on Transportation

This bill establishes maximum allowable noise level standards for motorcycle mufflers and exhaust systems. The bill also provides that a person who violates noise level standards may be subject to a fine of \$250 unless the person brings the motorcycle into compliance within 14 days after the citation.

LD 951 An Act Relating to the TransCap Trust Fund

**PUBLIC 411
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAZUREK DIAMOND	OTP-AM	H-123

Current law requires, beginning July 1, 2009, that 7.5% of the net excise tax imposed on internal combustion engine fuel be deposited in the TransCap Trust Fund, the purpose of which is to provide financial assistance for the planning, design, acquisition, reconstruction and rehabilitation of transportation capital improvements. This bill requires that at least 20%, but no more than 35%, of the revenue be allocated for capital improvements to bridges and the balance to highways and prioritizes the use of the funds for the highway capital improvements.

Committee Amendment "A" (H-123)

This amendment clarifies that any grants issued from the TransCap Trust Fund must be used for capital projects with a useful life of at least 10 years and that bonds may be used only for capital projects that have an anticipated useful life of at least as long as the bond term. The amendment also corrects cross-references regarding the transfer of certain fees to the TransCap Trust Fund.

Enacted Law Summary

Public Law 2009, chapter 411 clarifies that any grants issued from the TransCap Trust Fund must be used for capital projects with a useful life of at least 10 years and that bonds may be used only for capital projects that have an anticipated useful life of at least as long as the bond term. The law also corrects cross-references regarding the transfer of certain fees to the TransCap Trust Fund.

Public Law 2009, chapter 411 was enacted as an emergency measure effective June 16, 2009.

LD 952 An Act Relating to Disability Plates and Placards

PUBLIC 143

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRAFTS	OTP-AM	H-141

This bill allows a permanently disabled person to submit proof of the permanent disability once instead of the current requirement of having to submit a new form every 4 years. It also makes a 2nd or subsequent violation of the law against misusing a disability plate or placard a Class E crime, with the potential for doubled fines.

Committee Amendment "A" (H-141)

This amendment allows a person to request that the person's disability parking plate or placard expire at the same time as the persons drivers license or nondriver identification card.

Enacted Law Summary