

# MAINE STATE LEGISLATURE

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**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

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# STATE OF MAINE

124<sup>TH</sup> LEGISLATURE  
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## 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*

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**

## *Joint Standing Committee on Transportation*

Public Law 2009, chapter 143 allows a permanently disabled person to request that the person's disability parking plate or placard expire at the same time as the person's driver's license or nondriver identification card.

**LD 967      An Act To Implement the Recommendations of the Governor's Interagency Transportation Coordinating Committee      PUBLIC 130**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PEOPLES GOOLEY	OTP	

This bill establishes in statute the Interagency Transportation Coordinating Committee, which provides oversight and promotes efficiency, cooperative effort and strategic planning for public transportation between the Department of Transportation, the Department of Labor and the Department of Health and Human Services.

**Enacted Law Summary**

Public Law 2009, chapter 130 establishes in statute the Interagency Transportation Coordinating Committee, which provides oversight and promotes efficiency, cooperative effort and strategic planning for public transportation between the Department of Transportation, the Department of Labor and the Department of Health and Human Services.

**LD 992      An Act To Increase Highway Safety by Requiring Daytime Headlight Use      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CORNELL DU HOUX GERZOFSKY	ONTP	

This bill requires that the driver of a motor vehicle manufactured after 2010 use headlights any time the motor vehicle is operated on a way. The bill also adds a provision allowing enforcement of the mandatory headlights provision only when a vehicle is stopped for a suspected violation of another law.

**LD 1043      Resolve, To Establish a Blue Ribbon Commission To Study On-ramp Speed Limits      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLARK H BRYANT B	ONTP	

This resolve establishes a blue ribbon commission to study highway on-ramp usage and determine the best methods for eliminating speeding on on-ramps and promoting proper vehicle yielding on highways.