

# 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*

**LD 1094      Resolve, To Study Safety Measures Relating to Open Trenches and Excavations**

**RESOLVE 70**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CONNOR	OTP-AM	H-269

This bill requires an excavator to mark and erect a barrier or other safeguard around an unattended excavation to prevent a person, animal or motor vehicle from unintentionally falling into the excavation.

**Committee Amendment "A" (H-269)**

The amendment, which replaces the bill, directs the Department of Transportation, in conjunction with the Department of Public Safety, to establish a working group to examine issues relating to unattended trenches and excavations on both public and private property. The working group is required to submit a report to the Joint Standing Committee on Transportation no later than the first business day in February 2010. The Joint Standing Committee on Transportation may report out a bill to the Second Regular Session of the 124th Legislature concerning the subject matter of this resolve.

**Enacted Law Summary**

Resolve 2009, chapter 70 directs the Department of Transportation, in conjunction with the Department of Public Safety, to establish a working group to examine issues relating to unattended trenches and excavations on both public and private property. The working group is required to submit a report to the Joint Standing Committee on Transportation no later than the first business day in February 2010. The Joint Standing Committee on Transportation may report out a bill to the Second Regular Session of the 124th Legislature concerning the subject matter of this resolve.

**LD 1123      An Act To Improve the Safety of Minors by Collecting Data on Vehicle Collision Rates**

**ONTP**

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

This bill requires the Department of the Secretary of State to collect data regarding the motor vehicle collisions involving students taught by driver education schools and driver education instructors. The department shall gather the data and publish a list of the collision rates by October 1st of each year.

**LD 1131      An Act To Clarify the Law Regarding the Passing of School Buses by Bicyclists**

**PUBLIC 212**

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

## *Joint Standing Committee on Transportation*

This bill prohibits a person operating a bicycle, motorized bicycle, motorized tricycle or a motorized scooter from passing or overtaking a stopped school bus that has its red lights flashing. This change parallels the law as it applies to operators of motor vehicles.

### **Enacted Law Summary**

Public Law 2009, chapter 212 prohibits a person operating a bicycle, motorized bicycle, motorized tricycle or a motorized scooter from passing or overtaking a stopped school bus that has its red lights flashing. This change parallels the law as it applies to operators of motor vehicles.

**LD 1150      *Resolve, To Establish a Pilot Project To Issue Conditional Titles for Certain Automobiles and Trucks That Are More than 25 Years Old*      ONTP**

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

This resolve directs the Secretary of State to establish a pilot project under which a conditional title may be issued to a Maine resident owner of an automobile or a truck that is more than 25 years old. Under the pilot project, the owner of a vehicle may convert the conditional title to a certificate of title for an antique auto upon certification that the vehicle meets the statutory definition of "antique auto." The Secretary of State is directed to submit a report on the pilot project, along with any recommendations, to the Joint Standing Committee on Transportation by February 1, 2010.

**LD 1151      *An Act To Prohibit the Use of Engine Brakes on All State Roads under Certain Circumstances*      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STRANG BURGESS DAVIS G	ONTP	

This bill prohibits the use of engine brakes on state highways and on the interstate highway, including the Maine Turnpike, from 11 p.m. until 7 a.m., except in the case of an emergency.

**LD 1174      *An Act To Allow the Use of Cameras To Enforce Traffic Violations*      ONTP**

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

Current law requires a police officer to observe a violation of a traffic control device, stop the violator, issue a summons and complaint and often go to court.

This bill is based on laws in other states that permit the use of evidence obtained from unmanned, automatic cameras to prosecute and prove traffic violations. Traffic light violation monitoring systems may be installed by the State or