

# 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 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

## *Joint Standing Committee on Transportation*

a municipality. The owner of the vehicle photographed or otherwise recorded violating a traffic control device is rebuttably presumed to be the violator, similar to current Maine law regarding passing a stopped school bus or a traffic violation at an emergency scene.

This bill also requires the revenue generated by a traffic light violation monitoring system to be returned to the municipality that purchased, installed and was operating the system at the time of the enforcement action but only until such time as the municipality has been reimbursed for its expense. After that, the revenue is deposited in the Courthouse Security Fund to be used to improve security and improve public safety at court facilities.

**LD 1175     An Act To Add Combat Action Badges and Ribbons to the Special Commemorative Decals for Veterans License Plates**

**PUBLIC 437**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FLETCHER SHERMAN	OTP-AM	H-264

This bill adds 6 commemorative decals to the list of decals issued for veterans license plates and also requires the Secretary of State to review the 2007 and 2008 data for the number of decals issued for those years, as well as the cost of acquiring and distributing the decals along with the revenue received. The Secretary of State is to report with recommendations to the Joint Standing Committee on Transportation, which is authorized to submit a bill on the findings.

**Committee Amendment "A" (H-264)**

This amendment doesn't change the number of commemorative decals added to the list of decals that may be issued for veterans license plates by the bill, but makes a number of technical corrections. The amendment places a moratorium on any special commemorative decals that are not already authorized by law for use with special veterans registration plates for a period of 5 years, October 1, 2009 to October 1, 2014. The amendment changes the Secretary of States report due date from January 1, 2010 to February 28, 2010. The amendment also adds an appropriations and allocations section.

**Enacted Law Summary**

Public Law 2009, chapter 437 adds 5 commemorative decals to the list of decals issued for veterans license plates. It also places a moratorium on any special commemorative decals that are not already authorized by law for use with special veterans registration plates for a period of 5 years, October 1, 2009 to October 1, 2014. The law directs the Secretary of State to review the number of decals issued, as well as the cost of acquiring and distributing the decals along with the revenue received, and report back with findings and recommendations to the Joint Standing Committee on Transportation no later than February 28, 2010.

**LD 1190     An Act To Amend the Motor Vehicle Laws**

**PUBLIC 435**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAMON	OTP-AM	S-176

This bill makes several changes to the motor vehicle laws. The bill:

1. Amends the weight limitation for a low-speed vehicle;