

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

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;

Joint Standing Committee on Transportation

2. Allows the Secretary of State to issue agricultural education plates to Department of Agriculture, Food and Rural Resources vehicles and lobster plates to Department of Marine Resources vehicles;
3. Exempts antique farm tractors from registration requirements when used in parades and charitable events;
4. Makes adjustments to the commercial vehicle excise tax reimbursement laws;
5. Clarifies that a title issued for manufactured housing remains in effect unless cancelled, allows a manufactured housing title to be cancelled if the home is permanently affixed to real property and allows rather than requires the Secretary of State to issue a title on used manufactured housing;
6. Allows the Secretary of State to recall an offensive vanity plate;
7. Extends titling requirements to most motor vehicles and trailers to vehicles manufactured in 1995 and after. Currently, only vehicles less than 15 years old are required to be titled;
8. Provides that a duplicate title is not required to be issued until 15 days after the previous title was issued;
9. Clarifies the process for managing additional security interests;
10. Modifies the release of lien process for manufactured housing;
11. Makes adjustments to the dealer plate reduction law;
12. Modifies the attended sales promotion procedures to provide for shorter permit periods at a reduced fee;
13. Increases the maximum weight of a light wrecker from 24,000 to 26,000 pounds for the purpose of determining the dealer plate fee to coincide with commercial driver's license limits;
14. Defines mobile crushers and requires them to be licensed;
15. Increases the time within which a person is obligated to notify the Secretary of State of an address or name change from 10 to 20 days; and
16. Makes a technical correction to the seatbelt requirements.

Committee Amendment "A" (S-176)

The amendment eliminates the section of the bill relating to low-speed vehicles.

The amendment also eliminates the sections of the bill that proposed to make adjustments to the commercial vehicle excise tax reimbursement laws.

The bill modifies the attended sales promotion procedures to provide for shorter permit periods at a reduced fee. The amendment also provides that a dealer who operates an attended sales promotion at a charitable event where a vehicle is displayed or offered as a prize for fund-raising purposes is exempt from the permit requirements.

The amendment increases the time within which a person is obligated to notify the Secretary of State of an address change from 10 to 30 days.

The amendment makes a technical correction relating to title fees.

Joint Standing Committee on Transportation

The amendment repeals the "bingo stamp" operating authority program for identification of intrastate and interstate motor carriers as the program has been superseded by the federal Uniform Carrier Registration program. Under current law, a first-time OUI offender may be eligible for a special license once the offender is engaged in an alcohol or other drug-related treatment program. The amendment decreases the time within which a person must complete an alcohol or other drug-related program from 6 to 3 months after receiving the special license, after which the Secretary of State is required to suspend the special license until the person completes the program.

The amendment also adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2009, chapter 435 makes several changes to the motor vehicle laws. The law:

1. Allows the Secretary of State to issue agricultural education plates to Department of Agriculture, Food and Rural Resources vehicles and lobster plates to Department of Marine Resources vehicles;
2. Exempts antique farm tractors from registration requirements when used in parades and charitable events;
3. Clarifies that a title issued for manufactured housing remains in effect unless cancelled, allows a manufactured housing title to be cancelled if the home is permanently affixed to real property and allows rather than requires the Secretary of State to issue a title on used manufactured housing;
4. Allows the Secretary of State to recall an offensive vanity plate;
5. Extends titling requirements to most motor vehicles and trailers to vehicles manufactured in 1995 and after. Currently, only vehicles less than 15 years old are required to be titled;
6. Provides that a duplicate title is not required to be issued until 15 days after the previous title was issued;
7. Clarifies the process for managing additional security interests;
8. Modifies the release of lien process for manufactured housing;
9. Makes adjustments to the dealer plate reduction law;
10. Modifies the attended sales promotion procedures to provide for shorter permit periods at a reduced fee and provides that a dealer who operates an attended sales promotion at a charitable event where a vehicle is displayed or offered as a prize for fund-raising purposes is exempt from the permit requirements;
11. Increases the maximum weight of a light wrecker from 24,000 to 26,000 pounds for the purpose of determining the dealer plate fee to coincide with commercial driver's license limits;
12. Defines mobile crushers and requires them to be licensed;
13. Increases the time within which a person is obligated to notify the Secretary of State of an address or name change from 10 to 30 days;
14. Repeals the "bingo stamp" operating authority program for identification of intrastate and interstate motor carriers as the program has been superseded by the federal Uniform Carrier Registration program; and
15. Decreases the time within which a person must complete an alcohol or other drug-related program from 6 to 3 months after receiving the special license, after which the Secretary of State is required to suspend the special license until the person completes the program.