

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during
the Second Regular Session of the 124th Maine Legislature coming from the

JOINT STANDING COMMITTEE ON TRANSPORTATION

April 2010

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STATE OF MAINE

124TH LEGISLATURE
SECOND 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 Second 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:

<i>CARRIED OVER</i>	<i>Carried over to a subsequent session of the Legislature</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN HOUSES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed; bill died</i>
<i>ONTP (or Accepted ONTP report)</i>	<i>Ought Not To Pass report accepted; bill died</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

The effective date for non-emergency legislation enacted in the Second Regular Session of the 124th Legislature is Monday, July 12, 2010. 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

requirement in Maine law and shall provide an appropriate helmet to an operator of roller skis who has not attained 16 years of age. Current law provides that a reasonable fee may be charged for the helmet rental. The amendment further provides that a person who is in the business of renting roller skis who complies with the helmet requirement in Maine law is not liable in a civil suit for damages for injuries sustained by a roller ski operator as a result of the operator's failure to use a helmet.

The amendment clarifies that, for a first violation of the helmet requirement for a person under 16 years of age who is an operator of roller skis on a public roadway or public bikeway, a law enforcement officer may provide safety information to the person.

Enacted Law Summary

Public Law 2009, chapter 484 applies rules of the road for bicyclists to roller skiers. It also clarifies that roller skis may be prohibited from divided highways. It provides that a person who is in the business of renting roller skis shall post or make available to a person renting roller skis a written notice explaining the helmet requirement in Maine law and shall provide an appropriate helmet to an operator of roller skis who has not attained 16 years of age. The law provides that a reasonable fee may be charged for the helmet rental. It further provides that a person who is in the business of renting roller skis who complies with the helmet requirement in Maine law is not liable in a civil suit for damages for injuries sustained by a roller ski operator as a result of the operator's failure to use a helmet.

It also clarifies that, for a first violation of the helmet requirement for a person under 16 years of age who is an operator of roller skis on a public roadway or public bikeway, a law enforcement officer may provide safety information to the person.

LD 1641 An Act To Direct Funds from the Highway Fund to the Highway and Bridge Light Capital Program

**ACCEPTED ONTP
REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROWNE ROSEN R	ONTP MAJ OTP-AM MIN	

This bill directs that 7.5% of gross Highway Fund revenues, for each biennium, must be allocated to the Department of Transportation Highway and Bridge Light Capital program for maintenance surface treatment.

Committee Amendment "A" (H-610)

This amendment, which is the minority report of the committee, directs that 3.75%, instead of 7.5% in the bill, of gross Highway Fund revenues for each biennium must be allocated to the Department of Transportation Highway and Bridge Light Capital program for maintenance surface treatment. The amendment repeals this provision June 30, 2014. The amendment removes the emergency preamble and emergency clause of the bill and changes the effective date to July 1, 2011.

LD 1642 An Act Relating to Road Noise

PUBLIC 639

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STRANG BURGESS DAVIS G	OTP-AM	H-672

Joint Standing Committee on Transportation

The bill clarifies the law regarding excessive noise as it relates to mufflers and exhaust systems of motor vehicles operated within posted areas designated by the Department of Transportation or the Maine Turnpike Authority.

Committee Amendment "A" (H-672)

This committee amendment defines "excessive or unusual noise" as it relates to exhaust systems that are improperly installed or maintained or modified in a way that increases the noise emitted by a motor vehicle. The amendment also directs the Department of Public Safety, Bureau of State Police to convene a working group to study issues relating to highway traffic noise, including, but not limited to, unwarranted noise created when an exhaust system is not properly installed or maintained or is altered.

Enacted Law Summary

Public Law 2009, chapter 639 defines "excessive or unusual noise" as it relates to exhaust systems that are improperly installed or maintained or modified in a way that increases the noise emitted by a motor vehicle. It also directs the Department of Public Safety, Bureau of State Police to convene a working group to study issues relating to highway traffic noise, including, but not limited to, unwarranted noise created when an exhaust system is not properly installed or maintained or is altered.

LD 1655 An Act To Preserve the "We Support Our Troops" Registration Plate

ONTP

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

Under current law, the Secretary of State is required to retire specialty license plates when the number of sets of the plate issued falls below 4,000. This bill enacts an exception for the "We Support Our Troops" registration plate and sets the minimum number for that specialty plate at 3,500.

LD 1663 An Act Relating to the Maine Aeronautical Advisory Board

PUBLIC 485

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARRACHE	OTP-AM	S-358

This bill establishes in the Maine Revised Statutes a committee to aid the Department of Transportation in developing and maintaining general aviation and airports in the State.

Committee Amendment "A" (S-358)

This committee amendment strikes and replaces the bill. The amendment expands the existing Maine Aeronautical Advisory Board from 5 members to at least 7 members. The amendment strikes a provision requiring that one member of the advisory board not represent an interest in aviation.

Enacted Law Summary

Public Law 2009, chapter 485 expands the existing Maine Aeronautical Advisory Board from 5 members to at least 7 members. It also strikes a provision requiring that one member of the advisory board not represent an interest in aviation.