

MAINE STATE LEGISLATURE

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STATE OF MAINE
125TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

JOINT STANDING COMMITTEE ON TRANSPORTATION

July 2011

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LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 125th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD 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 LD is noted to the right of the LD title. The following describes the various final actions.

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; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public Law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 125th Legislature is September 28, 2011. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Transportation

LD 50 An Act To Allow Provisional Drivers To Transport Persons under Guardianship and Children of Active Military Personnel

PUBLIC 13

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FLOOD MCCORMICK	OTP-AM	H-14

Current law prohibits a person under 18 years of age who has been issued a driver's license from carrying passengers other than immediate family members, including foreign exchange students, for 6 months after being issued a license unless accompanied by an older driver. This bill allows a young driver to carry a passenger who is a person under guardianship of an immediate family member of the young driver or is a child whose parent is deployed for military service if that person or child lives with the immediate family of the young driver.

Committee Amendment "A" (H-14)

This amendment modifies the exception in the bill allowing a young driver to carry a passenger who is a person under guardianship of an immediate family member to specify that the guardianship is court-appointed.

This amendment also adds details to the provision allowing a young driver to carry a child whose parent is deployed for military service, specifying that the child must be under guardianship of an immediate family member as provided on an Armed Forces Family Care Plan form.

The amendment defines "deployed for military service" to mean assigned to active military duty with the state military forces, as defined in the Maine Revised Statutes, Title 37-B, section 102, or the United States Armed Forces, including the National Guard and Reserves, whether pursuant to orders of the Governor or the President of the United States, when the duty assignment is in a combat theater, in an area where armed conflict is taking place or in an area away from a person's normal duty station.

Enacted Law Summary

Public Law 2011, chapter 13 allows a young driver to carry a passenger who is a person under court-appointed guardianship of the driver's immediate family member.

The law also allows a young driver to carry a passenger who is a child whose parent is deployed for military service. It specifies that the child must be under guardianship of an immediate family member as provided on an Armed Forces Family Care Plan form. It defines "deployed for military service" to mean assigned to active military duty with the state military forces, as defined in the Maine Revised Statutes, Title 37-B, section 102, or the United States Armed Forces, including the National Guard and Reserves, whether pursuant to orders of the Governor or the President of the United States, when the duty assignment is in a combat theater, in an area where armed conflict is taking place or in an area away from a person's normal duty station.

LD 54 An Act To Revise the Law Regarding Vehicle Turning and Signals

MAJORITY (ONTP) REPORT

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHAW	ONTP MAJ OTP MIN	

Joint Standing Committee on Transportation

This bill amends the law regarding vehicle turning and signals by requiring that an operator of a vehicle must use an appropriate signal when merging into traffic or changing lanes.

LD 64 An Act To Make a Violation of the Laws Governing Seat Belts a Secondary Offense

**MAJORITY
(ONTP) REPORT**

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

This bill restores a prior law that prohibited the enforcement of the seat belt law unless the driver was stopped for a suspected violation of a different law.

LD 96 An Act To Reduce Noise and Emissions Associated with Trains

ONTP

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

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to reduce noise and air pollution attributed to train engines by prohibiting trains from idling for long periods of time in various residential neighborhoods.

LD 102 An Act To Allow Landowners Access across Railroad Tracks

ONTP

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

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to provide to a landowner who owns property that is bisected by a railroad access to all of that property at a lower cost to the landowner.