

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 246 An Act To Require the Daytime Use of Headlights on Motor Vehicles ONTP

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

This bill requires that the driver of a motor vehicle manufactured after 2010 use headlights any time the motor vehicle is operated on a way. The bill also adds a provision allowing enforcement of the mandatory headlights provision only when a vehicle is stopped for a suspected violation of another law. A hybrid vehicle is exempt from the requirement of using headlights any time the vehicle is operated on a way.

LD 249 An Act To Allow Trained Local Law Enforcement Officers To Enforce Federal Motor Carrier Regulations ONTP

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

This bill allows a local or county law enforcement officer to enforce federal highway transportation regulations if that officer has received the appropriate training.

LD 259 An Act To Limit the Duration of a Legal Alien's Driver's License ONTP

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

This bill requires an applicant for a driver's license or nondriver identification card to provide proof of citizenship or documentation that the applicant is a legal resident of the United States. The bill limits the duration of a legal alien's driver's license or nondriver identification card to the duration of the visa granted to the legal alien by the authority of the United States.

LD 265 Resolve, To Study New and Used Motor Vehicle Dealer Licensing Requirements RESOLVE 11

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAULIEU THOMAS	OTP-AM	H-13

This bill eliminates the requirement that a motor vehicle dealer, to qualify for a dealer license, maintain a repair department that accommodates the repair of 2 vehicles simultaneously. This bill provides that, for the purpose of

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providing repair services, a motor vehicle dealer may enter into a contract with a mechanic to perform repairs or may lease the dealer's facility to a mechanic who performs repairs.

This bill directs the Secretary of State to amend rules establishing the requirements for licensing motor vehicle dealers before January 1, 2012. This bill also directs the Secretary of State to convene a working group to study licensing requirements for motor vehicle dealers and directs the working group to submit a report to the Joint Standing Committee on Transportation. This bill gives the committee authority to submit a bill to the Second Regular Session of the 125th Legislature concerning licensing requirements for motor vehicle dealers.

Committee Amendment "A" (H-13)

This amendment, which strikes and replaces the bill, directs the Department of the Secretary of State, Bureau of Motor Vehicles to convene a working group to study licensing requirements for new and used motor vehicle dealers. The amendment directs the working group to submit a report to the Joint Standing Committee on Transportation no later than January 15, 2012. The amendment gives the committee the authority to submit a bill to the Second Regular Session of the 125th Legislature concerning the requirements for licensing motor vehicle dealers.

Enacted Law Summary

Resolve 2011, chapter 11 directs the Department of the Secretary of State, Bureau of Motor Vehicles to convene a working group to study licensing requirements for new and used motor vehicle dealers. It directs the working group to submit a report to the Joint Standing Committee on Transportation no later than January 15, 2012. It gives the committee the authority to submit a bill to the Second Regular Session of the 125th Legislature concerning the requirements for licensing motor vehicle dealers.

LD 272 An Act To Provide Funds for Municipal Sand and Salt Storage Facilities DIED ON ADJOURNMENT

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COURTNEY	OTP-AM MAJ ONTP MIN	S-27

This bill allocates \$1,725,949 from the Highway Fund for the purpose of providing funds to municipalities for the construction of Priority 3 and Priority 4 sand and salt sheds.

Committee Amendment "A" (S-27)

This amendment incorporates a fiscal note.

LD 283 An Act To Require That Motor Vehicles Be Clear of Solid Precipitation When Operated on Public Ways ONTP

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

This bill requires that a person operating a motor vehicle at 40 miles per hour or more on a public way clear the motor vehicle of solid precipitation. Failure to clear a motor vehicle is a traffic infraction subject to a \$250 fine for a first offense and \$500 for a 2nd or subsequent offense.