

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
125<sup>TH</sup> 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 125<sup>th</sup> 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 125<sup>th</sup> 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*

This bill provides that certain indemnity agreements in motor carrier transportation contracts are void and unenforceable.

### **Committee Amendment "A" (S-43)**

This amendment provides a definition of "motor carrier" and clarifies the definition of "promisee." This amendment also provides that the change in law in the bill that provides that certain indemnity agreements in motor carrier transportation contracts are void and unenforceable applies to only motor carrier transportation contracts entered into or renewed on or after the effective date of the Act.

### **Enacted Law Summary**

Public Law 2011, chapter 85 provides that certain indemnity agreements in motor carrier transportation contracts are void and unenforceable. It also provides that the change in law applies to only motor carrier transportation contracts entered into or renewed on or after the effective date of the Act.

### **LD 734      An Act To Allow a Front-wheel-drive Vehicle To Be Equipped with      ONTP** **Studded Tires on the Front Only**

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

This bill allows a person to operate a front-wheel-drive vehicle with studded tires on the front only and directs the Department of Public Safety to amend its rules to implement the provision.

### **LD 736      An Act To Prohibit Texting while Driving      PUBLIC 207**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DIAMOND	OTP MAJ OTP-AM MIN	S-39 DIAMOND

This bill provides that a person may not operate a motor vehicle while engaging in text messaging.

### **Senate Amendment "A" (S-39)**

This amendment removes from the definition of "text messaging" the sending of electronic communications.

### **Enacted Law Summary**

Public Law 2011, chapter 207 provides that a person may not operate a motor vehicle while engaging in text messaging. The law defines "text messaging" as reading or manually composing electronic communications, including text messages, instant messages and e-mails, using a portable electronic device. "Text messaging" does not include using a global positioning or navigation system.