

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

**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

**STAFF:**

KAREN NADEAU-DRILLEN, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670  
&  
SUZANNE ROY, LEGISLATIVE ANALYST  
OFFICE OF FISCAL AND PROGRAM REVIEW  
5 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1635

**MEMBERS:**

SEN. RONALD F. COLLINS, CHAIR  
SEN. DOUGLAS A. THOMAS  
SEN. BILL DIAMOND  
  
REP. RICHARD M. CEBRA, CHAIR  
REP. KIMBERLEY C. ROSEN  
REP. JAMES S. GILLWAY  
REP. WAYNE R. PARRY  
REP. PETER B. RIOUX  
REP. ALEXANDER REGINALD WILLETTE  
REP. EDWARD J. MAZUREK  
REP. GEORGE HOGAN  
REP. ANN E. PEOPLES  
REP. CHARLES KENNETH THERIAULT

STATE OF MAINE  
125<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



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*

**LD 1068**

**An Act To Protect the Privacy of Maine Residents under the Driver's License Laws**

**PUBLIC 149**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHIPMAN THOMAS	OTP-AM	H-177

This bill is a partial repeal of current Maine law enacted to comply with the requirements of the federal REAL ID Act of 2005.

This bill:

1. Repeals the requirement that the Secretary of State issue driver's licenses and nondriver identification cards only to individuals who present documentary evidence of legal presence in the United States;
2. Exempts social security numbers in the possession of the Secretary of State from the definition of "public records" under Maine's freedom of access laws;
3. Provides that the Secretary of State may not disseminate social security numbers to any entity without legislative authorization;
4. Restricts the distribution and retention of digital information used to produce a license;
5. Prohibits the Secretary of State from use of biometric technology, such as retinal scans, facial recognition or fingerprint technology, but not including digital photographs in the production or storing of license information;
6. Repeals the requirement that the Secretary of State participate in the federal Systematic Alien Verification for Entitlements Program, the centralized database system used and maintained by the United States Citizenship and Immigration Services;
7. Repeals the requirement that the Secretary of State study the most cost-effective technology to prevent driver's license or nondriver identification card duplication;
8. Provides that cost savings as a result of this Act must be allocated to the Highway and Bridge Capital program within the Department of Transportation;
9. Does not change the current requirement that an applicant for a Maine driver's license or nondriver identification card must provide proof of residency; and
10. Repeals the requirement that a license or nondriver identification card of a noncitizen or legal permanent resident expires at the end of the licensee's authorized duration of stay in the United States.

**Committee Amendment "A" (H-177)**

This amendment:

1. Strikes the repeal of the requirement that the Secretary of State issue driver's licenses and nondriver identification cards only to individuals who present documentary evidence of legal presence in the United States;
2. Provides that the Secretary of State may not disseminate social security numbers to any entity without legislative

## *Joint Standing Committee on Transportation*

authorization unless it is authorized by the federal Driver's Privacy Protection Act of 1994;

3. Provides that digital images and digitized signatures used to produce a driver's license or nondriver identification card are confidential;
4. Clarifies that the Secretary of State may store, record and retain digital images and digitized signatures used to produce a driver's license or nondriver identification card solely for the purpose of producing driver's licenses or nondriver identification cards;
5. Provides that digital images and digitized signatures used to produce a driver's license or nondriver identification card may be distributed only to a law enforcement agency;
6. Strikes the repeal of the requirement that the Secretary of State participate in the federal Systematic Alien Verification for Entitlements Program, the centralized database system used and maintained by United States Citizenship and Immigration Services; and
7. Strikes the repeal of the requirement that a license or nondriver identification card of a noncitizen or legal permanent resident expires at the end of the person's authorized duration of stay in the United States.

### **Enacted Law Summary**

Public Law 2011, chapter 149:

1. Provides that the Secretary of State may not disseminate social security numbers to any entity without legislative authorization unless it is authorized by the federal Driver's Privacy Protection Act of 1994;
2. Provides that digital images and digitized signatures used to produce a driver's license or nondriver identification card are confidential;
3. Clarifies that the Secretary of State may store, record and retain digital images and digitized signatures used to produce a driver's license or nondriver identification card solely for the purpose of producing driver's licenses or nondriver identification cards; and
4. Provides that digital images and digitized signatures used to produce a driver's license or nondriver identification card may be distributed only to a law enforcement agency.

**LD 1071      An Act To Allow the Use of Mini-trucks on Public Ways**

**ONTP**

Sponsor(s)

AYOTTE  
JACKSON

Committee Report

ONTP

Amendments Adopted

This bill permits mini-trucks to be operated on public ways, but only within 100 miles of the address at which the mini-truck is registered. The mini-truck, a 4-wheeled motor vehicle with a maximum speed of 60 miles per hour and a maximum weight of 2,000 pounds, must be registered and meet the same inspection standards as other motor vehicles in order to be operated on a public way.