

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

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

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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

This bill also makes technical corrections by removing references to the term "forfeitures" to reflect the current usage in the statutes of the term "fine."

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

LD 1148 An Act To Improve Vehicle Safety for First Responders

ONTP

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

This bill allows emergency medical service vehicles, fire department vehicles and personal vehicles of emergency medical personnel, firefighters and police officers to be equipped with a device that provides for alternate flashing of the vehicle's brake or rear directional lights and back-up lights or strobe lights behind the rear brake lenses when responding to an emergency.

LD 1167 An Act To Protect the Privacy of Persons Involved in Reportable Motor Vehicle Accidents

PUBLIC 390

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CEBRA COLLINS	OTP-AM MAJ OTP-AM MIN	H-406

This bill permits law enforcement officers to disclose certain information relating to motor vehicle accidents and permits law enforcement officers to furnish a copy of a motor vehicle accident report only to certain individuals specified in the bill. The bill also provides greater protection of the personal privacy of individuals who are involved in motor vehicle accidents and allows aggregated nonpersonally identifying accident report data to be publicly disseminated.

Committee Amendment "A" (H-405)

This amendment, which is the majority report, strikes and replaces the bill. The amendment reorganizes the provision of law relating to accident report information and makes technical changes.

The amendment provides that accident reports and information contained in accident reports, except as otherwise provided, are confidential and may be released only to a person who was involved in the accident that is the subject of the report as well as to:

1. That person's licensed attorney, licensed insurance representative or authorized agent if authorization is evidenced in writing;
2. That person's insurance carrier or insurance producer;
3. That person's family or household members, as long as no temporary or permanent protection from abuse or protection from harassment order against the requesting family or household member is in effect at the time the request is made;
4. If the person is a minor, that person's parent or legal guardian, as long as no temporary or permanent protection

Joint Standing Committee on Transportation

from abuse or protection from harassment order against the requesting parent or legal guardian is in effect at the time the request is made;

5. An attorney licensed to practice law in this State, but only if the request is made for the purpose of informing a potential or pending criminal or civil case, or for use in such a case, if the case involves a specifically identified person who may be or is a party to the potential or pending case;
6. Another criminal justice agency;
7. The Department of the Secretary of State, Bureau of Motor Vehicles; and
8. An insurance support organization.

The amendment provides that the Department of Public Safety, Bureau of State Police may not publicly disseminate personally identifying accident report data that are contained in an accident report database maintained, administered or contributed to by the Bureau of State Police, but may publicly disseminate nonpersonally identifying accident report data. The amendment also defines "data" as information existing in an electronic medium and contained in an accident report database.

The amendment also provides that a person commits a Class E crime if that person intentionally or knowingly makes a material misstatement of fact on any application or document submitted either in support of or as a request made for a copy of an accident report or intentionally or knowingly further disseminates a report or report information that has been provided to an attorney pursuant to law.

Committee Amendment "B" (H-406)

This amendment, which is the minority report, strikes and replaces the bill. The amendment provides that the Department of Public Safety, Bureau of State Police may not publicly disseminate personally identifying accident report data that are contained in an accident report database maintained, administered or contributed to by the Bureau of State Police, but may publicly disseminate nonpersonally identifying accident report data. This amendment also defines "data" as information existing in an electronic medium and contained in an accident report database.

Enacted Law Summary

Public Law 2011, chapter 390 provides that the Department of Public Safety, Bureau of State Police may not publicly disseminate personally identifying accident report data that are contained in an accident report database maintained, administered or contributed to by the Bureau of State Police, but may publicly disseminate nonpersonally identifying accident report data. The law defines "data" as information existing in an electronic medium and contained in an accident report database.

LD 1189 An Act To Require Bicyclists To Contribute to the Improvement of ONTP Bikeways

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

This bill imposes a 2% surcharge on the retail sale of bicycles. The proceeds are to be used by the Department of Transportation to construct, improve and maintain bikeways for use primarily by bicyclists and pedestrians.