

# 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***

representatives of antique auto, street rod and custom vehicle organizations to review the affidavit that must be filed with the bureau when registering an antique auto, custom vehicle, horseless carriage or street rod and to report to the Second Regular Session of the 125th Legislature with its findings.

**Committee Amendment "A" (H-200)**

This amendment strikes and replaces the bill. The amendment changes the definition of "custom vehicle" to include a motor vehicle that is at least 25 years old instead of at least 30 years old as in current law. The amendment also raises the weight limit for a custom vehicle from the current 6,000 pounds to 10,000 pounds. The amendment clarifies that a custom vehicle is subject to motor vehicle inspection standards except as provided by rules adopted by the Chief of the State Police, which provide certain exemptions for custom vehicles.

**Enacted Law Summary**

Public Law 2011, chapter 139 changes the definition of "custom vehicle" to include a motor vehicle that is at least 25 years old. The law also raises the weight limit for a custom vehicle to 10,000 pounds. The law clarifies that a custom vehicle is subject to motor vehicle inspection standards except as provided by rules adopted by the Chief of the State Police, which provide certain exemptions for custom vehicles.

**LD 1313**

**An Act To Amend the Motor Vehicle Laws**

**PUBLIC 356  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLLINS	OTP-AM	S-192 S-218 COLLINS

This bill makes several changes to the motor vehicle laws. The bill:

1. Adds the Secretary of State, Bureau of Motor Vehicles detectives to the list of law enforcement personnel not required to disclose investigative information;
2. Clarifies the definition of "special mobile equipment";
3. Clarifies that a motor vehicle drawing a camp trailer is not registered for the gross weight;
4. Removes obsolete language relative to registering interstate buses;
5. Clarifies that tow dollies are not required to be registered;
6. Consolidates special equipment registration with trailer registration;
7. Increases the number of special veteran motorcycle registrations a qualified registrant may have from one to 3;
8. Clarifies that certain honorific veterans' plates are issued for no fee and for a gross weight up to 10,000 pounds;
9. Clarifies the requirement for a motor carrier of passengers receiving subsidies to file its vehicle equipment list with the Department of Transportation rather than the Secretary of State, Bureau of Motor Vehicles;
10. Adds "antique motorcycle" to the list of vehicles eligible for warranty titles;
11. Makes failure of a dealer to deliver a title to the Secretary of State, Bureau of Motor Vehicles a traffic infraction

## *Joint Standing Committee on Transportation*

and establishes minimum and maximum fines;

12. Clarifies that a dealer taking a vehicle in trade on the purchase of another vehicle must satisfy any outstanding security interests on the traded vehicle within 10 days. Failure to do so is a Class E crime;
13. Creates a restricted instruction permit for the purpose of assessing a person with certain disabilities;
14. Extends the sunset date for the autocycle legislation until 2013;
15. Updates the authorized route for Van Buren Canadian weight permits; and
16. Clarifies the issuance of long-term oversize and overweight permits.

### **Committee Amendment "A" (S-192)**

This amendment:

1. Clarifies that reports or records that contain intelligence and investigative information and that are prepared by, prepared at the direction of or kept in the custody of the criminal law enforcement unit of the Department of the Secretary of State, Bureau of Motor Vehicles, Office of Investigations are confidential;
2. Deletes those sections of the bill that propose to consolidate special equipment registration with trailer registration;
3. Revises the authorized route in Van Buren for United States-Canada border weight permits;
4. Authorizes lobster registration plates for commercial motor vehicles;
5. Creates a registration plate for a person serving as an honorary consul;
6. Establishes a process for creating motorcycle and commercial vehicle specialty plates for existing specialty plates with at least 10,000 active registrations;
7. Provides that special mobile equipment that is used exclusively on the closed portion of a public way for the limited purposes of constructing or repairing that public way and is transported by another vehicle to and from the construction project is exempt from registration;
8. Eliminates the one-time \$5 administrative fee for Purple Heart motor vehicle and motorcycle registration plates and veterans motorcycle registration plates; and
9. Establishes a moratorium on dealer plate reduction and dealer license denials, adds an emergency preamble and emergency clause specifying that the moratorium takes effect immediately and provides that the moratorium be in place until December 31, 2012.

### **Senate Amendment "A" To Committee Amendment "A" (S-218)**

This amendment provides for a military service designation on driver's licenses and nondriver identification cards for all service members, not just those in an enlisted grade, and honorably discharged veterans and makes that provision effective when this legislation is approved.

### **Enacted Law Summary**

Public Law 2011, chapter 356 does the following:

1. Clarifies that reports or records that contain intelligence and investigative information and that are prepared by,

*Joint Standing Committee on Transportation*

prepared at the direction of or kept in the custody of the criminal law enforcement unit of the Department of the Secretary of State, Bureau of Motor Vehicles, Office of Investigations are confidential;

2. Updates the authorized route in Van Buren for United States-Canada border weight permits;
3. Authorizes lobster registration plates for commercial motor vehicles;
4. Creates a registration plate for a person serving as an honorary consul;
5. Establishes a process for creating the classes of motorcycle and commercial vehicle plates for existing specialty plates with at least 10,000 active registrations;
6. Provides that special mobile equipment that is used exclusively on the closed portion of a public way for the limited purposes of constructing or repairing that public way and is transported by another vehicle to and from the construction project is exempt from registration;
7. Eliminates the one-time \$5 administrative fee for Purple Heart motor vehicle and motorcycle registration plates and veterans motorcycle registration plates;
8. Establishes a moratorium on dealer plate reduction and dealer license denial, specifies that the moratorium takes effect immediately and provides that the moratorium be in place until December 31, 2012; and
9. Repeals Public Law 2011, chapter 134 (see also LD 986) and provides for a military service designation on driver's licenses and nondriver identification cards for all service members and honorably discharged veterans.

Public Law 2011, chapter 356 was enacted as an emergency measure. Items 8 and 9 of this summary took effect June 15, 2011 while all other items take effect 90 days after adjournment.

**LD 1319      An Act To Prohibit the Unwarranted Collection of Identifying Data of Motor Vehicles      ONTP**

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

This bill prohibits a state, county or municipal employee from recording or retaining identifying data about a motor vehicle. The prohibition does not apply to the Department of Transportation if the recording or retaining of identifying data is conducted for the purposes of protecting public safety and transportation infrastructure, to the Department of Public Safety, Bureau of State Police if the recording or retaining of identifying data is conducted for the purposes of commercial motor vehicle screening and inspection or to a state, county or municipal law enforcement agency if the recording or retaining of identifying data is conducted to provide public safety, conduct criminal investigations or ensure compliance with local, state and federal laws.