

MAINE STATE LEGISLATURE

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STATE OF MAINE
125TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

JOINT STANDING COMMITTEE ON TRANSPORTATION

June 2012

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STATE OF MAINE

125TH LEGISLATURE
SECOND 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 Second 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.

<i>CARRIED OVER</i>	<i>carried over to a subsequent session of the Legislature</i>
<i>CON RES XXX</i>	<i>chapter # of constitutional resolution passed by both houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; legislation died</i>
<i>DIED BETWEEN HOUSES</i>	<i>House & Senate disagreed; legislation died</i>
<i>DIED IN CONCURRENCE</i>	<i>defeated in each house, but on different motions; legislation died</i>
<i>DIED ON ADJOURNMENT</i>	<i>action incomplete when session ended; legislation died</i>
<i>EMERGENCY</i>	<i>enacted law takes effect sooner than 90 days after session adjournment</i>
<i>FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE</i>	<i>emergency failed to receive required 2/3 vote</i>
<i>FAILED, ENACTMENT or FINAL PASSAGE</i>	<i>failed to receive final majority vote</i>
<i>FAILED, MANDATE ENACTMENT</i>	<i>legislation proposing local mandate failed required 2/3 vote</i>
<i>HELD BY GOVERNOR</i>	<i>Governor has not signed; final disposition to be determined at subsequent session</i>
<i>LEAVE TO WITHDRAW</i>	<i>sponsor's request to withdraw legislation granted</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>ruled out of order by the presiding officer; legislation died</i>
<i>INDEF PP</i>	<i>indefinitely postponed; legislation died</i>
<i>ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X</i> ...	<i>ought-not-to-pass report accepted; legislation died</i>
<i>P&S XXX</i>	<i>chapter # of enacted private & special law</i>
<i>PUBLIC XXX</i>	<i>chapter # of enacted public Law</i>
<i>RESOLVE XXX</i>	<i>chapter # of finally passed resolve</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's veto</i>

The effective date for non-emergency legislation enacted in the Second Regular Session of the 125th Legislature is Thursday, August 30, 2012. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

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Under current law, for as long as the federal law affording an exemption from the federal vehicle weight limitations for vehicles operating on all portions of the interstate system is in effect, a 6-axle combination vehicle consisting of a 3-axle truck tractor with a tri-axle semitrailer having a maximum gross vehicle weight of 100,000 pounds may be operated on any portion of the interstate system.

This amendment allows the Commissioner of Transportation, for as long as the federal exemption is in place, to adopt routine technical rules to allow a vehicle to operate on the interstate system if the vehicle complies with state law relating to weight, axle and configuration limits applicable to the operation of vehicles on public ways other than the interstate system.

Enacted Law Summary

Public Law 2011, chapter 482 allows the Commissioner of Transportation, for as long as the federal law affording an exemption from the federal vehicle weight limitations for vehicles operating on all portions of the interstate system is in effect, to adopt routine technical rules to allow a vehicle to operate on the interstate system if the vehicle complies with state law relating to weight, axle and configuration limits applicable to the operation of vehicles on public ways other than the interstate system.

Public Law 2011, chapter 482 was enacted as an emergency measure effective March 5, 2012.

LD 1621 An Act To Remove a Barrier to Response by Emergency Medical Personnel

**MAJORITY
(ONTP) REPORT**

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

This bill provides an exception from the seat belt requirement for emergency medical personnel who are providing treatment to patients being transported to a medical facility.

Committee Amendment "A" (S-386)

This amendment, which is the minority report, strikes and replaces the bill. The amendment requires an emergency medical services person in the back of an ambulance to wear a seat belt or safety harness unless being secured by a seat belt or safety harness inhibits the person from administering medical aid.

LD 1623 An Act To Simplify Toll Discounts and Amend Certain Powers and Procedures of the Maine Turnpike Authority

**PUBLIC 476
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLLINS	OTP-AM	S-373

This bill amends the Maine Turnpike Authority enabling law by distinguishing between assets that the authority is required to maintain as part of its core mission and those that it is merely permitted to maintain as necessary or convenient to that mission.

The bill eliminates a requirement that the authority provide a commuter discount and eliminates a prohibition on imposing variable pricing based on the time of day. Instead, the authority is allowed to provide a reduction in the

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rates of fees, fares and tolls to any class of vehicle based upon volume of use.

The bill removes a requirement that the authority use certified mail in lieu of regular mail to send notices of toll liability, which will provide an estimated cost savings of more than \$5 per notice. A written statement from the authority will constitute evidence of the mailing.

The bill removes a prohibition against assessing an administrative fee for a violation by a tractor-trailer combination. This restriction was imposed at a time when the authority lacked capacity to take video images of the front license plate to determine the owner of the truck. Because the authority now takes video images of the front and rear of all vehicles, it is able to identify the registered owners of both the truck and trailer and charge an administrative fee to the appropriate party.

Committee Amendment "A" (S-373)

This amendment retains most of the provisions of the bill and:

1. Clarifies that the requirement that the Maine Turnpike Authority allocate 5% of its annual operating revenues for Department of Transportation projects is subordinate to the authority's obligation to pay its operating expenses and bond debt;
2. Clarifies that the definition of "operating revenues" includes amounts pledged to debt service and amounts required for operating expenditures; and
3. Amends the provision in the bill relating to a prohibition on imposing variable pricing based on time of day. The amendment retains language allowing such a prohibition.

Enacted Law Summary

Public Law 2011, chapter 476 amends the Maine Turnpike Authority enabling law by distinguishing between assets that the authority is required to maintain as part of its core mission and those that it is merely permitted to maintain as necessary or convenient to that mission. It clarifies that the requirement that the Maine Turnpike Authority allocate 5% of its annual operating revenues for Department of Transportation projects is subordinate to the authority's obligation to pay its operating expenses and bond debt. It also clarifies that the definition of "operating revenues" includes amounts pledged to debt service and amounts required for operating expenditures.

The law eliminates a requirement that the authority provide a commuter discount. Instead, the authority is allowed to provide a reduction in the rates of fees, fares and tolls to any class of vehicle based upon volume of use.

The law removes a requirement that the authority use certified mail in lieu of regular mail to send notices of toll liability, which will provide an estimated cost savings of more than \$5 per notice. A written statement from the authority will constitute evidence of the mailing.

The law also removes a prohibition against assessing an administrative fee for a violation by a tractor-trailer combination. This restriction was imposed at a time when the authority lacked capacity to take video images of the front license plate to determine the owner of the truck. Because the authority now takes video images of the front and rear of all vehicles, it is able to identify the registered owners of both the truck and trailer and charge an administrative fee to the appropriate party.

Public Law 2011, chapter 476 was enacted as an emergency measure effective February 22, 2012.