

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.

Joint Standing Committee on Transportation

LD 1710

An Act To Amend the Motor Vehicle Laws

PUBLIC 556

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CEBRA COLLINS	OTP-AM	H-763

This bill:

1. Changes the repeal date for autocycle registrations to coincide with changes made in Public Law 2011, chapter 356;
2. Allows agents appointed by the Secretary of State to renew nondriver identification cards in addition to noncommercial driver's licenses and to issue duplicates of those documents;
3. Removes obsolete language referencing "driver education teachers;"
4. Requires the Secretary of State, in consultation with the Commissioner of Transportation, to establish by rule the fees for vehicles covered by long-term overlimit permits; and
5. Limits to the first 6 years of registration the basing of the excise tax on the purchase price, rather than the list price, of a truck or a truck tractor weighing more than 26,000 pounds or Class A special mobile equipment.

Committee Amendment "A" (H-763)

This amendment:

1. Clarifies that agents authorized by the Secretary of State to issue noncommercial driver's license renewals and nondriver identification card renewals may issue duplicates of noncommercial driver's license renewals but not duplicates of nondriver identification card renewals as stated in the bill;
2. Authorizes the Secretary of State to issue an agriculture education plate in another sequence in addition to a 3-number and 3-letter sequence at the discretion of the Secretary of State;
3. Authorizes the Secretary of State to issue unassigned temporary registration permits to a licensed auction business when the licensed auction business sells a vehicle to a dealer;
4. Allows a vehicle to be sold at a licensed dealer auction to a licensed dealer prior to the dealer's possessing the title and clarifies that the licensed dealer may take possession of the vehicle;
5. Removes the provision that to qualify for a dealer license an applicant must maintain a repair department for the repair of 2 vehicles simultaneously;
6. Allows a motor vehicle rental company to be issued transporter plates and a license to transport a vehicle owned by or in the custody of that business or its owner;
7. Clarifies that a person under 18 years of age who has been issued a driver's license may not use a handheld electronic device while operating a motor vehicle, whether or not that person has an intermediate license;
8. Clarifies that the Technical Review Panel, which assists the Secretary of State in developing driver education

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curriculum and instructor training and certification, includes 2 instructors;

9. Clarifies that the Secretary of State, in consultation with the Commissioner of Transportation, is directed and authorized to establish a fee schedule, by routine technical rulemaking, for vehicles covered by long-term overlimit movement permits;

10. Provides that the weight tolerance allowed under current law for a vehicle loaded with building materials that absorb moisture is not dependent upon whether the vehicle's delivery originates and terminates within the State; and

11. Strikes the provision in the bill limiting the basing of the excise tax on a truck or truck tractor weighing more than 26,000 pounds or Class A special mobile equipment on the purchase price for the first 6 years of registration.

Enacted Law Summary

Public Law 2011, chapter 556 makes changes to the motor vehicle laws.

1. It changes the repeal date for autocycle registrations to coincide with changes made in Public Law 2011, chapter 356.
2. It allows agents appointed by the Secretary of State to issue noncommercial driver's license renewals to also issue nondriver identification card renewals. The law provides that agents may issue duplicates of noncommercial driver's license renewals but not duplicates of nondriver identification card renewals.
3. It removes obsolete language referencing "driver education teachers."
4. It directs and authorizes the Secretary of State, in consultation with the Commissioner of Transportation, to establish a fee schedule, by routine technical rulemaking, for vehicles covered by long-term overlimit movement permits.
5. It authorizes the Secretary of State to issue an agriculture education plate in another sequence in addition to a 3-number and 3-letter sequence at the discretion of the Secretary of State.
6. It authorizes the Secretary of State to issue unassigned temporary registration permits to a licensed auction business when the licensed auction business sells a vehicle to a dealer.
7. It allows a vehicle to be sold at a licensed dealer auction to a licensed dealer prior to the dealer's possessing the title and clarifies that the licensed dealer may take possession of the vehicle.
8. It removes the requirement that to qualify for a dealer license an applicant must maintain a repair department for the repair of 2 vehicles simultaneously.
9. It allows a motor vehicle rental company to be issued transporter plates and a license to transport a vehicle owned by or in the custody of that business or its owner.
10. It clarifies that a person under 18 years of age who has been issued a driver's license may not use a handheld electronic device while operating a motor vehicle, whether or not that person has an intermediate license.
8. It clarifies that the Technical Review Panel, which assists the Secretary of State in developing driver education curriculum and instructor training and certification, includes 2 instructors.
10. It provides that the weight tolerance allowed under current law for a vehicle loaded with building materials that absorb moisture is not dependent upon whether the vehicle's delivery originates and terminates within the State.