

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH LEGISLATURE
FIRST REGULAR SESSION



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

JOINT STANDING COMMITTEE ON TRANSPORTATION

July 2013

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STATE OF MAINE

126TH LEGISLATURE
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LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 126th 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 126th Legislature is October 9, 2013. 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 amendment clarifies that a rule adopted by the bureau is a major substantive rule if the rule substantively modifies current state amendments to federal motor carrier regulations.

Enacted Law Summary

Current law provides that the Department of Public Safety, Bureau of State Police may adopt a rule to incorporate by reference Federal Motor Carrier Safety Administration regulations.

Public Law 2013, chapter 50 clarifies that a rule adopted by the bureau is a major substantive rule if the rule substantively modifies current state amendments to federal motor carrier regulations.

LD 501 An Act Regarding Enforcement of Commercial Vehicle Laws

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THOMAS PEAVEY HASKELL	ONTP	

This bill prohibits a state police officer or motor carrier inspector from disseminating information from a report prepared in connection with a roadside inspection of a motor carrier if a warning, rather than a summons, is issued for a violation of United States Department of Transportation, Federal Motor Carrier Safety Administration regulations that is not an out-of-service order.

LD 564 Resolve, To Establish a Working Group To Study Vision Requirements for Obtaining a Driver's License and To Review the Current Prohibition on the Use of Telescopic or Biotopic Lenses while Driving

RESOLVE 21

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASON A CLEVELAND	OTP-AM	H-38

This bill directs the Department of the Secretary of State, Bureau of Motor Vehicles to amend its rules governing the standards for determining the physical, emotional and mental competence of a person to operate a motor vehicle. The bill directs the bureau to allow the use of telescopic or biopic corrective lenses for the purposes of meeting any of the visual acuity requirements in bureau rules and during any phase of the driver's examination process for a Class C license.

Committee Amendment "A" (H-38)

This amendment, which strikes and replaces the resolve, directs the Department of the Secretary of State, Bureau of Motor Vehicles and the Medical Advisory Board to convene a working group to examine current vision standards to qualify for a driver's license. The amendment also directs the working group to review the bureau's current rule prohibiting the use of telescopic or biopic lenses for the purposes of meeting any of the visual acuity requirements for obtaining a driver's license and while driving a motor vehicle. The amendment directs the bureau to report to the Joint Standing Committee on Transportation no later than January 15, 2014. The amendment also gives the Joint Standing Committee on Transportation authority to submit a bill to the Second Regular Session of the 126th Legislature relating to the subject matter of this report.

Enacted Law Summary

Resolve 2013, chapter 21 directs the Department of the Secretary of State, Bureau of Motor Vehicles and the Medical Advisory Board to convene a working group to examine current vision standards to qualify for a driver's license. The law directs the working group to review the bureau's current rule prohibiting the use of telescopic or

Joint Standing Committee on Transportation

bioptic lenses for the purposes of meeting any of the visual acuity requirements for obtaining a driver's license and while driving a motor vehicle. The law also directs the bureau to report to the Joint Standing Committee on Transportation no later than January 15, 2014. It also gives the Joint Standing Committee on Transportation authority to submit a bill to the Second Regular Session of the 126th Legislature relating to the subject matter of this report.

LD 565 Resolve, To Establish a Task Force To Study the Feasibility of Imposing ONTP
Tolls on Interstate 95

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

This resolve, which is a concept draft, proposes to establish a task force composed of legislators, highway user and other interested parties to study and analyze options for imposing tolls on portions of the Interstate Highway system in the State for the purpose of funding necessary highway improvements. The task force would analyze the advantages and disadvantages of imposing tolls, the financial and administrative requirements and the revenue potential from tolls and determine the extent to which federal constraints limit the State's authority.

LD 566 Resolve, To Enhance and Encourage Economic Development of the CARRIED OVER
Lower Penobscot River Basin by Improving Rail Transportation

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL R		

This resolve directs the Department of Transportation to conduct a study to determine the feasibility and cost of improving the railroad line from the City of Brewer to the Town of Bucksport and to submit a report with findings and recommendations to the Joint Standing Committee on Transportation no later than February 1, 2014. The resolve also gives the Joint Standing Committee on Transportation authority to submit a bill relating to the subject matter of the report to the Second Regular Session of the 126th Legislature.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 567 An Act To Amend the Definition of "Special Mobile Equipment" in the PUBLIC 84
Motor Vehicle Laws

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAKER BURNS	OTP	

This bill amends the definition of "special mobile equipment" in the motor vehicle laws in the provision regarding trucks used only to plow snow by adding to the truck's uses sanding and salting pertaining to winter maintenance. It removes from the definition trucks carrying sand only for ballast.

Enacted Law Summary

Public Law 2013, chapter 84 amends the definition of "special mobile equipment" in the motor vehicle laws in the provision regarding trucks used only to plow snow by adding to the truck's uses sanding and salting pertaining to winter maintenance. It removes from the definition trucks carrying sand only for ballast.