

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
126<sup>TH</sup> LEGISLATURE  
SECOND REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON TRANSPORTATION**

May 2014

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**STATE OF MAINE**  
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**LEGISLATIVE DIGEST OF BILL SUMMARIES AND**  
**ENACTED LAWS**

The *Digest* is arranged 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.

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 Second Regular Session of the 126<sup>th</sup> Legislature is August 1, 2014. 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 law specifies that prior to allowing the route to be traversed by a commercial motor vehicle, safety and infrastructure must first be assessed, any improvement determined necessary to guarantee that safety has been ensured completed, and any infrastructure improvements needed to support increased weights have also been completed. This law requires that 50% of any funds needed to finance an infrastructure assessment or to make improvements are provided by the entity proposing the route. This law requires that rules adopted allow for local input.

Lastly, this law directs the Department of Transportation to provide reports to the joint standing committee of the Legislature having jurisdiction over transportation matters, initially on progress made with respect to rulemaking and biennially on the implementation of rules adopted in accordance with this law.

**LD 1327**

### **An Act To Provide Greater Options for Transportation of Public School Students for Cocurricular Activities**

**PUBLIC 484**

| <u>Sponsor(s)</u>     | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| MASTRACCIO<br>LANGLEY | OTP-AM                  | H-625                     |

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill provides a mechanism to transport students to and from school activities by allowing the use of a motor vehicle with a carrying capacity of 10 to 15 passengers that is operated by a driver with an appropriate driver's license endorsement for a school bus that is designed to carry 15 passengers or less including the driver, as long as the vehicle is not used to transport students to and from home and school.

#### **Committee Amendment "A" (H-625)**

This amendment replaces the bill. It allows multifunction school activity buses to be used for the transportation of students for school activities other than conveying them to and from home and school, in order to provide a means of transporting students without the buses' having to adhere to certain requirements of school buses, such as a system of stop arms, the use of warning lamps and the use of national school bus yellow paint.

The amendment limits the carrying capacity of a multifunction school activity bus to 15 or fewer passengers, including the driver, requires the operator to have the appropriate school bus endorsement for the number of passengers and gross vehicle weight rating and defines the term "multifunction school activity bus."

The amendment requires a multifunction school activity bus to have markings indicating that students are aboard, the school district or administrative unit associated with the multifunction school activity bus and the location of emergency exits.

The amendment also provides that an operator of a multifunction school activity bus who is convicted of an OUI while operating a multifunction school activity bus will have that operator's school bus operator endorsement permanently revoked.

Lastly, the amendment requires that a multifunction school activity bus meet all Federal Motor Vehicle Safety Standards of 49 Code of Federal Regulations, Part 571 pertaining to this subcategory of buses.

#### **Enacted Law Summary**

Public Law 2013, chapter 484 creates a new category of school bus called a multifunction school activity bus. This law specifies that this type of noncommercial motor vehicle is to be used to transport students for school activities, other than conveying students to and from home and school. The law does not require a multifunction school activity bus to adhere to certain requirements of school buses, such as a system of stop arms, the use of warning

*Joint Standing Committee on Transportation*

lamps and the use of national school bus yellow paint.

The law specifies the following requirements for a multifunction school activity bus.

1. It may have a carrying capacity of only 15 or fewer passengers, including the driver.
2. It must meet all the Federal Motor Vehicle Safety Standards of 49 Code of Federal Regulations, Part 571, that are applicable to multifunction school activity buses.
3. It must be clearly marked with the words "students aboard."
4. It must have all emergency exits clearly marked.
5. It must clearly display on the outside of the vehicle the school administrative unit or school district name.
6. It must meet all the requirements of chapter 19, subchapter 4 of Title 29-A that pertain to school buses, except section 2302, subsection 1, paragraphs A to E and G and H, section 2304, and section 2308.

The law requires that the driver of a multifunction school activity has the required school bus operator endorsement for the number of passengers and gross vehicle weight rating.

Lastly, the law requires that a person convicted of OUI who operated a multifunction school activity bus during the commission of the offense must have their school bus operator endorsement permanently revoked.

**LD 1365 An Act To Promote New Models of Mobility and Access to Transportation**

**Veto Sustained**

Sponsor(s)  
TREAT

Committee Report  
OTP-AM

Amendments Adopted  
H-664

This bill amends the Department of Transportation's biennial operations plan for transit process in order to promote and facilitate new models of mobility and service. This bill adds a declaration of policy to the public transportation administration law. This bill also provides components that must be included in the department's biennial operations plan for transit and describes how the department's plan for transit must be implemented.

This bill eliminates the Interagency Transportation Coordinating Committee and replaces it with a larger, more comprehensive Maine Public Transit Advisory Council. The role of the council is to advise the Legislature and the department regarding strategic planning for public transportation services in the State.

**Committee Amendment "A" (H-664)**

This amendment replaces the bill. It replaces the requirement in current law for biennial plans for regional transit with a requirement for quinquennial plans, which is consistent with federal requirements. Like the bill, this amendment eliminates the Interagency Transportation Coordinating Committee and replaces it with a new Public Transit Advisory Council. Like the bill, this amendment provides that the council must include, at a minimum, the Commissioner of Transportation, the Commissioner of Health and Human Services, the Commissioner of Labor and the Commissioner of Economic and Community Development. The amendment requires the other members to be appointed by the Commissioner of Transportation, instead of by the Governor as in the bill. The amendment establishes a three-year term for appointed council members, states how vacancies are to be filled, and provides that the Commissioner of Transportation decides how a chair is chosen and how long the chair is to serve. The amendment makes changes to the membership of the council and directs the commissioner to invite members from the joint standing committee of the Legislature having jurisdiction over transportation matters representing different