

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

FIRST REGULAR SESSION



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 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 1356 An Act To Improve the Statutes Governing Road Associations

PUBLIC 198

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

This bill amends the provisions of law regarding the formation, scope and function of road associations formed for the purpose of repairing and maintaining a private road, a private way or bridge to:

1. Expand the description of what is includable as maintenance;
2. Require that notice to members of a road association must include the amount of assessment;
3. Specify what constitutes a majority vote of the road association;
4. Allow the road association to purchase liability insurance for the officers, directors and owners and to allow this cost and the costs of administration to be included in the assessment;
5. Require that the assessment must be based on a formula specified in the bylaws of the road association or approved by the owners;
6. Specify that the cap on the assessment of 1% of an owner's property valuation means the property valuation as determined by the municipality in which the property is located;
7. Remove the requirement that the assessment be collected in the same manner as town taxes and the imposition of a duty, and the corresponding liability for neglect of duty, on the commissioner or board of the road association for the collection of the assessment; and
8. Specify that the road association's commissioner or board may bring a civil action to enforce an assessment and specify the procedures and requirements for filing such an action.

Enacted Law Summary

Public Law 2013, chapter 198 amends the provisions of law regarding the formation, scope and function of road associations formed for the purpose of repairing and maintaining a private road, a private way or bridge to:

1. Expand the description of what is includable as maintenance;
2. Require that notice to members of a road association must include the amount of assessment;
3. Specify what constitutes a majority vote of the road association;
4. Allow the road association to purchase liability insurance for the officers, directors and owners and to allow this cost and the costs of administration to be included in the assessment;
5. Require that the assessment must be based on a formula specified in the bylaws of the road association or approved by the owners;

Joint Standing Committee on Transportation

- 6. Specify that the cap on the assessment of 1% of an owner's property valuation means the property valuation as determined by the municipality in which the property is located;
- 7. Remove the requirement that the assessment be collected in the same manner as town taxes and the imposition of a duty, and the corresponding liability for neglect of duty, on the commissioner or board of the road association for the collection of the assessment; and
- 8. Specify that the road association's commissioner or board may bring a civil action to enforce an assessment and specify the procedures and requirements for filing such an action.

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

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

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. The bill adds a declaration of policy to the public transportation administration law. The 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.

The 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.

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 1371 An Act To Exempt New Cars from Motor Vehicle Inspection for 2 Years Following the Initial Purchase ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAUCIER JACKSON T	ONTP	

This bill provides that a new motor vehicle, except a commercial motor vehicle, trailer or semitrailer, that has had an inspection is not required to have another inspection until 2 years from the last day of the month in which it was initially registered.

LD 1372 An Act Relating to Proof of Citizenship for Renewal of a Driver's License or Nondriver Identification Card PUBLIC 163

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAUCIER JACKSON T	OTP-AM	H-179

This bill prohibits the Secretary of State from requiring a birth certificate or other documentation to prove the citizenship of a person renewing a driver's license issued by the State.

Committee Amendment "A" (H-179)