

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH LEGISLATURE
SECOND REGULAR SESSION



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

JOINT STANDING COMMITTEE ON TRANSPORTATION

May 2014

STAFF:

DEIRDRE SCHNEIDER, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
&
SUZANNE VOYNIK, LEGISLATIVE ANALYST
OFFICE OF FISCAL AND PROGRAM REVIEW
5 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1635

MEMBERS:

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STATE OF MAINE
126TH LEGISLATURE
SECOND REGULAR SESSION
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 HOUSESHouse & 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
EMERGENCYenacted 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 126th 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

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

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political parties and at least one representative of a rail transit group to participate in council meetings. The amendment also clarifies the role of the council and changes the council's annual reporting requirement to a biennial requirement. Lastly, this amendment makes technical changes.

LD 1575 *Resolve, Regarding Memorial Plaques Honoring Vietnam Veterans near the Vietnam Veterans Memorial Bridge between Lewiston and Auburn* **RESOLVE 80**

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

This resolve was acted upon without reference to committee. This bill was enacted by the Legislature during the First Regular Session of the 126th and was held by the Governor; final disposition occurred at the beginning of the Second Regular Session.

This resolve requires the Department of Transportation, within existing resources, to remove existing plaques honoring Vietnam veterans on the Lewiston and Auburn approaches to the Vietnam Veterans Memorial Bridge, donate those plaques to the respective cities where they are currently located and procure and install new plaques that are similar to the existing plaques and have room for additional names. The new plaques may be maintained and updated by the respective cities where the plaques are installed.

Enacted Law Summary

Resolve 2013, chapter 80 requires the Department of Transportation, within existing resources, to remove existing plaques honoring Vietnam veterans on the Lewiston and Auburn approaches to the Vietnam Veterans Memorial Bridge, donate those plaques to the respective cities where they are currently located, procure and install new plaques that are similar in size and style to existing plaques and similar in location as the existing plaques, as long as the location does not present a safety concern for motorists and pedestrians and includes space for additional names. The new plaques may be maintained and updated by the respective cities where the plaques are installed.

**LD 1585 *Resolve, Regarding Legislative Review of Portions of Chapter 4: Maine Motor Carrier Safety Regulation, a Major Substantive Rule of the Department of Public Safety, Bureau of State Police* **RESOLVE 93
EMERGENCY****

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

This resolve provides for legislative review of portions of Chapter 4: Maine Motor Carrier Safety Regulation, a major substantive rule of the Department of Public Safety, Bureau of State Police. This rule was amended to incorporate by reference federal regulations that include a prohibition on text messaging and using a cell phone - unless hands-free-while operating a commercial motor vehicle. In addition, the rule now subjects intrastate motor carriers operating less than 100 air miles from their regular place of business to federal regulations which prohibit the operation of a commercial motor vehicle by a person who has methadone or its metabolite in their system.

Enacted Law Summary

Resolve 2013, chapter 93 finally adopts portions of Chapter 4: Maine Motor Carrier Safety Regulation, a major substantive rule of the Department of Public Safety, Bureau of State Police. This amended rule incorporates by reference federal regulations in 49 Code of Federal Regulations pertaining to motor carrier safety including a prohibition on text messaging and using a cell phone, unless hands-free, while operating a commercial motor vehicle. In addition, the rule now subjects intrastate motor carriers operating less than 100 air miles from their regular place of business to federal regulations which prohibit the operation of a commercial motor vehicle by a