

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
126<sup>TH</sup> 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

126<sup>TH</sup> 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 126<sup>th</sup> 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 126<sup>th</sup> 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*

can be made in a manner that does not interfere with the safe and legal operation of the bicycle or roller skis.

3. It includes bicycles in the "traffic" to which an operator intending to turn to the left must yield the right-of-way when the traffic is approaching from the opposite direction and is so close as to constitute an immediate hazard.

4. In the provision of law that requires a person operating a bicycle or roller skis upon a roadway to operate on the right portion of the way as far as practicable except when it is unsafe to do so, it specifies that the determination of safety is made by the bicyclist or roller skier.

5. Current law requires the operator of a motor vehicle, when passing a bicyclist or roller skier, to leave a distance of at least 3 feet between the motor vehicle and the bicyclist or roller skier. The law provides that the collision of a motor vehicle with a person operating a bicycle or roller skis is prima facie evidence of a violation of the 3-foot distance requirement.

### **LD 1464      An Act To Streamline the Laws Related to Transportation**

**PUBLIC 220**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THERIAULT COLLINS	OTP-AM	H-220

This bill makes the following changes to the laws related to transportation.

1. It affords the Department of Transportation more flexibility to grant exceptions to the prohibition against allowing access to controlled access highways to allow access when the Commissioner of Transportation determines that such access will not adversely affect public safety and will not have a significant negative impact on the mobility of through-travelers.

2. It amends transit-related provisions related to public transportation administration.

3. It directs the Department of Transportation to work with the Office of Policy and Legal Analysis and the Revisor of Statutes to examine the organization and structure of, and the language contained in, the Maine Revised Statutes, Title 23 and develop recommendations regarding reorganizing or updating that Title or a portion or portions of that Title. The Department of Transportation is directed to submit those recommendations to the Joint Standing Committee on Transportation no later than December 4, 2013.

#### **Committee Amendment "A" (H-220)**

This amendment strikes those sections of the bill that amend transit-related provisions related to public transportation administration.

#### **Enacted Law Summary**

Public Law 2013, chapter 220 makes the following changes to the laws related to transportation.

1. It affords the Department of Transportation more flexibility to grant exceptions to the prohibition against allowing access to controlled access highways to allow access when the Commissioner of Transportation determines that such access will not adversely affect public safety and will not have a significant negative impact on the mobility of through-travelers.

2. It directs the Department of Transportation to work with the Office of Policy and Legal Analysis and the Revisor of Statutes to examine the organization and structure of, and the language contained in, the Maine Revised Statutes, Title 23 and develop recommendations regarding reorganizing or updating that Title or a portion or portions of that Title. The Department of Transportation is directed to submit those recommendations to the Joint Standing

## *Joint Standing Committee on Transportation*

Committee on Transportation no later than December 4, 2013.

**LD 1465      An Act To Increase Accountability and Efficiency of Independent Entities Involved in Separate Aspects of the State's Transportation Systems      ONTP**

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

This bill, which is a concept draft, proposes to consolidate under one agency those independent agencies and quasi-governmental agencies that are established under state law and that are involved in or manage, control or oversee separate aspects of the State's transportation systems, including but not limited to the Maine Turnpike Authority, the Maine Port Authority, the Maine-New Hampshire Interstate Bridge Authority and the Northern New England Passenger Rail Authority. The consolidation of the separate entities and the transportation assets they oversee and manage under one comprehensive agency will ensure accountability and efficiency and will facilitate the economic development and carrying out of a cohesive state transportation policy.

**LD 1467      Resolve, To Establish Demonstration Projects To Promote Economic Development in the Forest Products Industry      RESOLVE 64 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T THERIAULT	OTP-AM	S-208

This resolve requires the Commissioner of Transportation to establish a demonstration project in the Town of Ashland for the purpose of demonstrating cost-effective ways of promoting economic development in the forest products industry by facilitating the transportation of forest product-related materials, including logs and wood biomass, from product-harvesting sites to processing and transportation facilities by increasing the gross vehicle weights permitted on a demonstration transportation route connecting forest product harvesting sites with potential processing facilities. The demonstration project requires consideration of safety issues and other effects and input from the Town of Ashland. The commissioner is required to report on the demonstration project to the joint standing committee of the Legislature having jurisdiction over transportation matters by January 15, 2015.

### **Committee Amendment "A" (S-208)**

This amendment, which strikes and replaces the resolve, authorizes the Commissioner of Transportation to establish 2 demonstration projects in Aroostook County that allow certain commercial vehicles carrying logs and wood biomass at gross vehicle weights exceeding those authorized by law to travel less than 2 miles from a private logging road system to proposed wood-processing facilities in the towns of Ashland and Masardis.

The demonstration projects require the chief engineer of the Department of Transportation to find that the trucks can be operated safely and the infrastructure can be improved and maintained to withstand the increased weight of the trucks. The demonstration projects also require that the municipal officers of the affected towns support the project and at least 50% of the cost of infrastructure improvements be provided by the relevant mill owner, other private entities or a public source other than the Department of Transportation. The commissioner is required to report on the demonstration projects to the joint standing committee of the Legislature having jurisdiction over transportation matters upon request of the committee.

The amendment also adds an emergency preamble and emergency clause to the resolve.

### **Enacted Law Summary**