

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

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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

8. It corrects an inconsistency in the laws governing the number of practice hours a person under 21 years of age must complete before applying for a driver's license.

9. It provides that the laws governing abandoned vehicles apply to vehicles left at a storage facility.

10. It allows for a person to be scheduled for the required road test after that person's juvenile provisional license is restored after a suspension instead of making it a requirement of restoration. All other restoration requirements must be met, and if the examination is not successfully completed within 90 days after restoration, an additional suspension for noncompliance will be imposed.

LD 1692 An Act To Ensure That Local Businesses Are Notified of Construction Projects ONTP

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

This bill requires the Department of Transportation, municipalities, or quasi-municipal corporations or districts to notify businesses with on-site customers that are located in the vicinity of a construction project, in order for the business to be able to prepare customers for potential traffic disruptions. Notification is required to be via letter, telephone, e-mail or in person. In addition, the bill requires that the business is afforded the opportunity to identify and comment on concerns during the planning phase of the project.

LD 1708 An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2015 P & S 22

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	S-410

This bill makes allocations from gross revenues of the Maine Turnpike Authority for the payment of the authority's operating expenses for the calendar year ending December 31, 2015 in accordance with the requirements of the Maine Revised Statutes, Title 23, section 1961, subsection 6.

Committee Amendment "A" (S-410)

This amendment incorporates a fiscal note.

Enacted Law Summary

Private and Special Law 2013, chapter 22 makes allocations from gross revenues of the Maine Turnpike Authority for the payment of the authority's operating expenses for the calendar year ending December 31, 2015 in accordance with the requirements of the Maine Revised Statutes, Title 23, section 1961, subsection 6.

LD 1721 An Act To Make Changes to and Clarify Maine Traveler Information Services Laws PUBLIC 529

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THERIAULT COLLINS	OTP-AM	H-716

Joint Standing Committee on Transportation

This bill makes several adjustments to the Maine traveler information services laws. It clarifies the definition of "on-premises sign" and provides that the principal building or structure of an advertised business or activity includes parking lots and outbuildings. It allows farm stands and farmers' markets to erect signs without a license or permit within the public right-of-way. This bill clarifies the manner in which the Commissioner of Transportation may issue a license for on-premises signs. This bill removes the prohibition on placing on-premises signs on natural features. It provides that within compact areas of an urban compact municipality, the municipality is responsible for the administration of the law as it relates to on-premises advertisements.

This bill adjusts the changeable signs provision of the law to allow a business one changeable sign with two sides for each public way that provides direct vehicular access to the business. It removes the provision requiring the changeable portion of an on-premises changeable sign to constitute no more than 50% of the sign's surface area.

Finally, this bill clarifies the commissioner's rulemaking authority with respect to the Maine traveler information services laws.

Committee Amendment "A" (H-716)

This amendment adds complying with national standards to the purpose and policy provisions of the Maine traveler information services laws. Instead of repealing the term "producer," as proposed in the bill, this amendment redefines the term to include "farm and food products" instead of "an agricultural product," which is in the current law. This amendment removes the requirement that signs for farm and food products advertise only products that are grown, produced and sold on the premises and are available for immediate purchase, and that signs for farmers' markets advertise only the farm and food products that are available for purchase at the farmers' market. This amendment requires the Commissioner of Transportation to adopt rules that are substantially compliant with the Manual on Uniform Traffic Control Devices, published by the Federal Highway Administration and other national standards. Lastly, this amendment provides that those provisions of law relating to signs on the Maine Turnpike are to be implemented and administered by the Maine Turnpike Authority.

Enacted Law Summary

Public Law 2013, chapter 529 makes the following adjustments to the Maine traveler information services laws.

1. It adds complying with national standards to the purpose and policy provisions of the law.
2. It clarifies the definition of "on-premises sign" and provides that the principal building or structure of an advertised business or activity includes parking lots and outbuildings.
3. It clarifies the manner in which the Commissioner of Transportation may issue a license for on-premises signs.
4. It removes the prohibition on placing on-premises signs on natural features.
5. It provides that within compact areas of an urban compact municipality, the municipality is responsible for the administration of the law pertaining to on-premises advertisements.
6. It amends the definition of "producer" to refer to farm and food products instead of an agricultural product.
7. It allows farm stands and farmers' markets to erect signs without a license or permit within the public right-of-way.
8. It adjusts the changeable signs provision of the law to allow a business one changeable sign with two sides for each public way that provides direct vehicular access to the business.
9. It removes the provision requiring the changeable portion of an on-premises changeable sign to constitute no more than 50 percent of the sign's surface area.

Joint Standing Committee on Transportation

10. It clarifies the Commissioner of Transportation's rulemaking authority with respect to the Maine traveler information services laws and requires that rules adopted are substantially compliant with the Manual on Uniform Traffic Control Devices, published by the Federal Highway Administration, as well as other national standards.

11. It clarifies that those provisions of law relating to signs on the Maine Turnpike are to be implemented and administered by the Maine Turnpike Authority.

LD 1758 An Act To Clarify the Use of the Term "Civil Violation" in the Motor Vehicle Statutes

PUBLIC 482

Sponsor(s)

Committee Report

Amendments Adopted

OTP

This bill clarifies that offenses designated as civil violations in the Maine Revised Statutes, Title 29-A are not traffic infractions and must be charged in a Uniform Summons and Complaint and filed in the appropriate division of the District Court as civil violations. This bill also amends provisions in Title 29-A relating to offenses involving bicycles, roller skis, toy vehicles, scooters and placement of stickers on illegally parked vehicles to clarify that these offenses are traffic infractions and not civil violations.

Enacted Law Summary

Public Law 2013, chapter 482 clarifies that offenses designated as civil violations in the Maine Revised Statutes, Title 29-A are not traffic infractions and must be charged in a Uniform Summons and Complaint and filed in the appropriate division of the District Court as civil violations. This law also amends provisions in Title 29-A relating to offenses involving bicycles, roller skis, toy vehicles, scooters and the placement of stickers on illegally parked vehicles to clarify that these offenses are traffic infractions and not civil violations.

LD 1787 An Act To Clarify the Enforcement Provisions Relating to Motor Carrier Registration

PUBLIC 530

Sponsor(s)

Committee Report

Amendments Adopted

OTP

This bill makes technical and organizational changes to the penalty provisions of the laws regulating the registration of motor carriers. This bill repeals the Maine Revised Statutes, Title 29-A, section 551, subsection 6, which was unnecessary. This bill enacts Title 29-A, section 558-A, which separates crimes, traffic infractions and civil violations. This bill also amends the civil violation now in Title 29-A, section 558-A, subsection 4 by specifying that the fine imposed may not be greater than the fine amount provided in the Federal Motor Carrier Safety Administration's uniform fine assessment program. This bill also specifies the penalty for a traffic infraction instead of relying on the penalty described in Title 29-A, section 103, subsection 3.

Enacted Law Summary

Public Law 2013, chapter 530 makes technical and organizational changes to the penalty provisions of the laws regulating the registration of motor carriers by enacting new provisions in Title 29-A that separate crimes, traffic infractions and civil violations. This law repeals Title 29-A, section 551, subsection 6, as it is no longer necessary. This law amends the civil violation now in Title 29-A, section 558-A, subsection 4 by specifying that the fine imposed may not be greater than the fine amount provided in the Federal Motor Carrier Safety Administration's uniform fine assessment program. Lastly, this law also specifies the penalty for a traffic infraction instead of relying on the penalty described in Title 29-A, section 103, subsection 3.