

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
FIRST REGULAR SESSION



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

JOINT STANDING COMMITTEE ON TRANSPORTATION

August 2015

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STATE OF MAINE

127TH 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 127th 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. An appendix provides a summary of relevant session statistics.

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 127th Legislature is October 15, 2015. 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 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.

Committee Amendment "A" (H-42)

This amendment requires the Department of Public Safety, Bureau of State Police to make an additional change to Chapter 4: Maine Motor Carrier Safety Regulation, a major substantive rule of the bureau, before final adoption is authorized. It requires the bureau to change the lower limit of a gross vehicle weight rating from 10,000 pounds to 10,001 pounds.

Enacted Law Summary

Resolve 2015, chapter 11 requires the Department of Public Safety, Bureau of State Police to make an additional change to Chapter 4: Maine Motor Carrier Safety Regulation, a major substantive rule of the bureau, before final adoption is authorized. It requires the bureau to change the lower limit of a gross vehicle weight rating from 10,000 pounds to 10,001 pounds.

Resolve 2015, chapter 11 was finally passed as an emergency measure effective April 29, 2015.

LD 171	An Act To Provide a License Plate Decal for Emergency Medical Services Providers	ONTP
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<u>Sponsor(s)</u> HEAD	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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This bill allows the Secretary of State to issue identifying special license plate decals to be displayed on the registration plates of licensed emergency medical services providers. Half of the annual fee for the decals goes to a Maine emergency medical services memorial and education center.

LD 172	An Act To Allow Gold Star Parents Who Are Maine Residents To Use the Maine Turnpike at No Charge	ONTP
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<u>Sponsor(s)</u> DOORE CYRWAY	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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This bill requires the Maine Turnpike Authority to waive tolls on the Maine Turnpike for a person who is a Maine resident and who is a parent eligible to receive a gold star lapel button under 10 United States Code, Section 1126 (2010).

LD 173	An Act To Amend the Laws Governing the Gold Star Family Registration Plate	PUBLIC 17
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<u>Sponsor(s)</u> FOLEY COLLINS	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-8
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This bill provides for issuance of gold star family vanity registration plates. It also establishes registration plates for family members of a person who died while honorably serving as an active member of the United States Armed Forces who do not fit the gold star lapel button guidelines established in 10 United States Code, Section 1126 (2010).

Joint Standing Committee on Transportation

Committee Amendment "A" (H-8)

This amendment provides for issuance of gold star family registration plates for family members, including grandparents, of a person who died while honorably serving as an active member of the United States Armed Forces who do not fit the gold star lapel button guidelines established in 10 United States Code, Section 1126 (2010) rather than establishing a new honorable service military family registration plate as proposed by the bill. The amendment also provides that the issuance of gold star family registration plates for those newly eligible is contingent upon the Department of the Secretary of State receiving donations from any public or private source to cover the cost of the registration plates. The amendment retains the provision of the bill providing for the issuance of gold star family vanity registration plates.

Enacted Law Summary

Public Law 2015, chapter 17 provides for issuance of gold star family registration plates for family members, including grandparents, of a person who died while honorably serving as an active member of the United States Armed Forces who do not fit the gold star lapel button guidelines established in 10 United States Code, Section 1126 (2010). The law provides that the issuance of gold star family registration plates for those newly eligible is contingent upon the Department of the Secretary of State receiving donations from any public or private source to cover the cost of the registration plates. The law also provides for the issuance of gold star family vanity registration plates.

LD 185 An Act To Prohibit the Use of a Mobile Telephone When Operating a Motor Vehicle Except in Hands-free Mode

Died Between Houses

Sponsor(s)

KATZ
DION

Committee Report

ONTP
OTP-AM

Amendments Adopted

This bill prohibits the use of a handheld mobile telephone while operating a motor vehicle. The bill clarifies that law enforcement officers, corrections officers, firefighters, drivers of authorized emergency vehicles, holders of commercial driver's licenses, physicians, municipal public works personnel, Maine Turnpike Authority personnel and state transportation personnel, including all employees and contractors of the Department of Transportation, may use handheld mobile telephones while driving within the scope of their employment. The bill makes the offense a traffic infraction. This bill does not affect the current prohibition against text messaging while operating a motor vehicle.

Committee Amendment "A" (S-13)

This amendment, which is the minority report of the committee, replaces the bill. It prohibits a person 18 years of age or older from using a mobile telephone or handheld electronic device while operating a motor vehicle unless the mobile telephone or handheld electronic device allows for hands-free operation and the hands-free feature of the mobile telephone or electronic handheld device is in fact being used by the person or the mobile telephone or handheld electronic device is being used in order to communicate with law enforcement or emergency services personnel under emergency circumstances.

The amendment does not affect the current prohibition against the use of a mobile telephone or handheld electronic device, both handheld and hands-free, for a person who has been issued an intermediate driver's license or for a person under 18 years of age.

The amendment establishes penalties for a violation of using a mobile telephone or handheld electronic device while operating a motor vehicle similar to the penalties for a violation of text messaging while operating a motor vehicle. The penalty for a first offense of the prohibition against using a mobile telephone or handheld electronic