

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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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.

<i>CARRIED OVER</i>	<i>carried over to a subsequent session of the Legislature</i>
<i>CON RES XXX</i>	<i>chapter # of constitutional resolution passed by both houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; legislation died</i>
<i>DIED BETWEEN HOUSES</i>	<i>House & Senate disagreed; legislation died</i>
<i>DIED IN CONCURRENCE</i>	<i>defeated in each house, but on different motions; legislation died</i>
<i>DIED ON ADJOURNMENT</i>	<i>action incomplete when session ended; legislation died</i>
<i>EMERGENCY</i>	<i>enacted law takes effect sooner than 90 days after session adjournment</i>
<i>FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE</i>	<i>emergency failed to receive required 2/3 vote</i>
<i>FAILED, ENACTMENT or FINAL PASSAGE</i>	<i>failed to receive final majority vote</i>
<i>FAILED, MANDATE ENACTMENT</i>	<i>legislation proposing local mandate failed required 2/3 vote</i>
<i>HELD BY GOVERNOR</i>	<i>Governor has not signed; final disposition to be determined at subsequent session</i>
<i>LEAVE TO WITHDRAW</i>	<i>sponsor's request to withdraw legislation granted</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>ruled out of order by the presiding officer; legislation died</i>
<i>INDEF PP</i>	<i>indefinitely postponed; legislation died</i>
<i>ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X</i>	<i>ought-not-to-pass report accepted; legislation died</i>
<i>P&S XXX</i>	<i>chapter # of enacted private & special law</i>
<i>PUBLIC XXX</i>	<i>chapter # of enacted public law</i>
<i>RESOLVE XXX</i>	<i>chapter # of finally passed resolve</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's veto</i>

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

device while operating a motor vehicle is \$250. The penalty for a second or subsequent offense within a three-year period of the prohibition against using a mobile telephone or handheld electronic device while operating a motor vehicle is \$500. The amendment also directs the Secretary of State to suspend the license of a person who has been previously adjudicated for a violation of the prohibition against using a mobile telephone or handheld electronic device while operating a motor vehicle.

The amendment also makes changes to the penalties for a violation of text messaging while operating a motor vehicle by providing that the current lower limit on the fine, \$250 for a first offense or \$500 for a second or subsequent offense within a three-year period, is the specific fine that must be adjudged.

LD 196 An Act To Ensure the Safety of Public Service Vehicles

PUBLIC 32

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROSEN DION	OTP-AM	S-12

This bill adds public utility emergency service vehicles to the list of stationary vehicles for which a motorist must move to a nonadjacent lane, if possible, or slow down.

Committee Amendment "A" (S-12)

This amendment, which strikes and replaces the bill, adds public service vehicles to the list of stationary vehicles for which a motorist must move to a nonadjacent lane, if possible, or slow down.

The amendment defines a "public service vehicle" as a vehicle used to assist members of the public or law enforcement officers with disabled vehicles or to remove debris from a roadway, or as a vehicle used to construct, maintain, inspect or repair utility infrastructure, including, but not limited to, electricity, water, sewer, cable, telephone, gas and natural gas infrastructure. "Public service vehicle" includes a wrecker. It also provides that a public service vehicle may be equipped with auxiliary lights that emit an amber light and may be equipped with a spotlight.

Enacted Law Summary

Public Law 2015, chapter 32 adds public service vehicles to the list of stationary vehicles for which a motorist must move to a nonadjacent lane, if possible, or slow down.

The law defines a "public service vehicle" as a vehicle used to assist members of the public or law enforcement officers with disabled vehicles or to remove debris from a roadway, or as a vehicle used to construct, maintain, inspect or repair utility infrastructure, including, but not limited to, electricity, water, sewer, cable, telephone, gas and natural gas infrastructure. It also provides that a public service vehicle may be equipped with auxiliary lights that emit an amber light and may be equipped with a spotlight.

See also LDs 345 and 371.

LD 198 An Act To Amend the Laws Regarding Noncommercial Foreign Vessels

PUBLIC 14

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

Joint Standing Committee on Transportation

This bill changes the exemption that under current law allows noncommercial foreign vessels of under 200 feet in length to navigate in ports without a pilot to apply to vessels of under 253 feet.

Enacted Law Summary

Public Law 2015, chapter 14 allows noncommercial foreign vessels of under 253 feet in length to navigate in ports without a pilot.

LD 214 An Act To Stay Certain Suspensions Imposed by the Secretary of State PUBLIC 13
Pending Appeal

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLLINS PARRY	OTP-AM	S-5

This bill clarifies that a suspension of a person's driver's license by the Secretary of State based upon a determination that the person recklessly or negligently operated a motor vehicle in a manner that caused the death of another person is stayed upon a request for a hearing by the person.

Committee Amendment "A" (S-5)

This amendment amends current law governing driver's license suspensions to remove a reference to reckless operation since a suspension is determined by the Secretary of State's application of the lesser civil standard of negligent operation. The amendment also makes a technical correction to the bill.

Enacted Law Summary

Public Law 2015, chapter 13 removes a reference to reckless operation in the law governing driver's license suspensions since a suspension is determined by the Secretary of State's application of the lesser civil standard of negligent operation.

LD 223 An Act To Eliminate Outdated Provisions of the Laws Governing the PUBLIC 5
Maine Turnpike Authority

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLEAN COLLINS	OTP-AM	H-9

This bill repeals certain provisions of law governing the Maine Turnpike Authority, or "the authority." Specifically, this bill:

1. Repeals language regarding the payment on bonds that was required and made in 1982;
2. Repeals a provision concerning the process for widening the Maine Turnpike south of mile 44;
3. Repeals language requiring the authority, on a semiannual basis, to report to the Legislative Council on the authority's activities for the preceding half of the fiscal year;
4. Repeals language regarding the policy for authorizing additional exchanges; and
5. Corrects cross-references to the repealed language.

Committee Amendment "A" (H-9)