

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

STAFF:

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

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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

This bill, which is a concept draft pursuant to Joint Rule 208, proposes to revisit the motor vehicle classification of autocycle, which was defined in the Maine Revised Statutes, Title 29-A, section 101, former subsection 6-B as an enclosed motorcycle with up to three wheels. The definition was a temporary measure that self-repealed in 2013. This bill proposes reviewing various types and models of enclosed motor vehicles with three wheels or fewer that are existing or under development for the purpose of registration and possibly creating a new motor vehicle classification for registration under the State's motor vehicle laws.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 706 Resolve, To Establish a Commission To Study Transportation Funding Reform Died On Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLEAN	OTP-AM	H-223

This resolve, which is a concept draft pursuant to Joint Rule 208, proposes to establish a commission composed of Legislators, transportation professionals or other parties to study transportation funding reforms that will promote equity and sustainability and that will yield the predictable funding levels needed to support a safe and reliable highway and bridge system that supports economic opportunity.

Study topics may include, but are not limited to, a review of the funding levels necessary to achieve the capital goals set forth in the Maine Revised Statutes, Title 23, section 73, subsection 7, paragraphs A to D including anticipated shortfalls; a 10-year capital funding plan to meet those goals; mechanisms to address the erosion of Highway Fund receipts and the rising inequity among drivers caused by higher automobile fuel efficiency; methods to more equitably share the costs of the highway system between residents and visitors from outside the State; rolling back baseline fuel tax rates and adding a wholesale tax component; and the use of a portion of sales tax receipts from transportation-related sales for transportation needs.

The commission is required to submit a report of its findings, including suggested legislation, to the Joint Standing Committee on Transportation by December 15, 2015, which in turn may submit a bill for presentation to the Second Regular Session of the 127th Legislature relating to the subject matter of the report.

Committee Amendment "A" (H-223)

This amendment, which strikes and replaces the concept draft, establishes the Commission To Study Transportation Funding Reform. The commission is required to study how to reform and adequately supplement funding for the State's transportation infrastructure to promote equity, sustainability and predictability in a manner that allows the State to responsibly provide a safe and reliable transportation system. The commission is required to report its findings and recommendations, including suggested legislation, to the Joint Standing Committee on Transportation no later than December 2, 2015. The Joint Standing Committee on Transportation may submit legislation to the Second Regular Session of the 127th Legislature relating to the subject matter of the report. The amendment also adds an appropriations and allocations section.

LD 707 An Act To Correct an Error in the Law That Allows a Break in Control of Access on William L. Clarke Drive in the City of Westbrook P & S 3 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GATTINE HASKELL	OTP-AM	H-57

Joint Standing Committee on Transportation

This bill corrects a reference to a lot number to allow, at the request of the owner of that lot, an entrance to be built on William L. Clarke Drive in the City of Westbrook.

Committee Amendment "A" (H-57)

This amendment specifies that any break in access on William L. Clarke Drive in the City of Westbrook must be in accordance with the Department of Transportation's procedures for control of access modifications.

Enacted Law Summary

Private and Special Law 2015, chapter 3 corrects a reference to a lot number to allow, at the request of the owner of that lot, an entrance to be built on William L. Clarke Drive in the City of Westbrook. The law also specifies that any break in access on William L. Clarke Drive in the City of Westbrook must be in accordance with the Department of Transportation's procedures for control of access modifications.

Private and Special Law 2015, chapter 3 was enacted as an emergency measure effective April 29, 2015.

LD 737 An Act To Amend the Laws Regarding Learner's Permits and Intermediate Licenses

PUBLIC 113

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROSEN MCLEAN	OTP-AM	S-58

This bill strengthens the restrictions on a driver of a motor vehicle under a learner's permit by increasing the requirements regarding the age of the accompanying licensed driver and the length of time that driver has held a driver's license and increasing the length of time a permit holder is required to have a learner's permit before obtaining a driver's license. The bill also expands the definition of "mobile telephone" to include devices providing access to voice, text messaging or Internet service as it applies to a driver with a learner's permit or a driver operating under a restricted license. This bill also strengthens the restrictions on a driver of a motor vehicle who is under 18 years of age operating under a restricted license by prohibiting the driver from carrying immediate family members without an accompanying licensed driver, decreasing the time period during which a driver with a restricted license may operate a motor vehicle unless traveling to and from work, and requiring the driver to display decals in the motor vehicle indicating that the driver may be a holder of a restricted license. Finally, the bill changes the fine for using a mobile telephone while driving under a restricted license to \$500 and sets the fine for failing to display a restricted license reflective decal at \$100.

Committee Amendment "A" (S-58)

This amendment strikes and replaces the bill. The amendment strikes from the bill:

1. The increase in the required minimum age of the accompanying licensed driver, for a driver of a motor vehicle under a learner's permit, from 20 to 25 years of age;
2. The increase in the required length of time that the accompanying licensed driver, for a driver of a motor vehicle under a learner's permit, has held a driver's license from two to three years;
3. The increase in the length of time a permit holder is required to have a learner's permit before obtaining a driver's license from six to 12 months; and
4. The increase in the fine for using a mobile telephone while operating a motor vehicle with an intermediate license from not less than \$250 and not more than \$500 to \$500.

The amendment amends the current laws prohibiting the holder of a learner's permit or intermediate license from