

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

MEMBERS:

SEN. ROLAND F. COLLINS, CHAIR
SEN. KIMBERLEY C. ROSEN
SEN. G. WILLIAM DIAMOND

REP. ANDREW J. MCLEAN, CHAIR
REP. GEORGE W. HOGAN
REP. CHRISTINE B. POWERS
REP. ARTHUR C. VEROW
REP. MARK E. BRYANT
REP. JARED F. GOLDEN
REP. WAYNE R. PARRY
REP. JAMES S. GILLWAY
REP. BRADLEE THOMAS FARRIN
REP. BRIAN D. HOBART

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.

<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

using a mobile telephone while operating a motor vehicle to also prohibit such a person from using a handheld electronic device while operating a motor vehicle. The amendment provides that the definitions in these provisions and in the provisions of current law that prohibit minors from using certain electronic devices while operating a motor vehicle are consistent.

The amendment strikes from the bill the prohibition on a driver who is operating a motor vehicle with an intermediate license from operating a motor vehicle between the hours of 10 p.m. and 5 a.m., unless traveling directly between the driver's place of employment and residence. The amendment leaves current law in place, which prohibits a driver who is operating a motor vehicle with an intermediate license from operating a motor vehicle between midnight and 5 a.m.

The amendment strikes from the bill the prohibition on a driver who is operating a motor vehicle with an intermediate license from carrying any passengers unless accompanied by a licensed operator. The amendment leaves current law in place, which provides that a driver who is operating a motor vehicle with an intermediate license may carry passengers who are immediate family members without being accompanied by a licensed operator.

The amendment revises the provision in the bill relating to requiring a driver who is operating a motor vehicle with an intermediate license to display a set of decals in the motor vehicle by providing that the decal program is voluntary. The amendment requires the Department of the Secretary of State, Bureau of Motor Vehicles to submit a report no later than February 1, 2017 to the joint standing committee of the Legislature having jurisdiction over transportation matters with an update on the decal program. The amendment also provides that the joint standing committee of the Legislature having jurisdiction over transportation matters may submit a bill to the First Regular Session of the 128th Legislature relating to the subject matter of this report.

Enacted Law Summary

Public Law 2015, chapter 113 prohibits the holder of a learner's permit or intermediate license from using any handheld electronic device, in addition to a mobile telephone, while operating a motor vehicle.

The law requires the Secretary of State to make available to a person who has been issued an intermediate license a set of two decals to place in the motor vehicle driven by the licensee that indicates that the driver of the motor vehicle may be a holder of an intermediate license. The driver who is operating a motor vehicle with an intermediate license may display these decals in the motor vehicle. The law also requires the Department of the Secretary of State, Bureau of Motor Vehicles to submit a report no later than February 1, 2017 to the joint standing committee of the Legislature having jurisdiction over transportation matters with an update on the voluntary decal program. The joint standing committee of the Legislature having jurisdiction over transportation matters may submit a bill to the First Regular Session of the 128th Legislature relating to the subject matter of this report.

LD 788

An Act To Improve the Health of Maine Citizens and Safety of Pedestrians

Veto Sustained

Sponsor(s)

HARLOW

Committee Report

OTP-AM

Amendments Adopted

H-171

Current law requires the operator of a motor vehicle to leave a distance of at least three feet when passing a bicyclist, a person on roller skis or a pedestrian. If a collision occurs between a motor vehicle and a bicyclist or roller skier, it is prima facie evidence of a violation of the three-foot requirement by the operator of the motor vehicle; no such provision is included for a collision between a motor vehicle and a pedestrian.

This bill provides that a collision between a motor vehicle and a pedestrian is prima facie evidence of a violation of the three-foot requirement by the operator of the motor vehicle.

Joint Standing Committee on Transportation

Committee Amendment "A" (H-171)

This amendment clarifies that if a motorist strikes a person operating a bicycle or roller skis and that person operating a bicycle or roller skis is complying with the duties imposed on a bicyclist or roller skier as specified in the Maine Revised Statutes, Title 29-A, it is prima facie evidence of a violation of the three-foot requirement in current law by the operator of the motor vehicle.

The amendment also provides that if a motorist strikes a pedestrian and that pedestrian is complying with the duties required of a pedestrian as specified in Title 29-A, section 2056, it is prima facie evidence of a violation of the three-foot requirement in current law by the operator of the motor vehicle.

LD 789 An Act To Require That Projects Undertaken by the Maine Turnpike Authority Have an Anticipated Useful Life of at Least 15 Years ONTP

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

This bill requires that, in determining whether to undertake construction or reconstruction of the turnpike or its connecting tunnels and bridges, overpasses, underpasses, interchanges and toll facilities, the Maine Turnpike Authority include in its evaluation the expected useful life of the proposed construction or reconstruction. The bill prohibits the authority from undertaking a proposed construction or reconstruction that has an expected useful life of less than 15 years.

LD 809 An Act Regarding Motor Vehicle Inspection Program Requirements ONTP

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

This bill exempts a motor vehicle that is 30 months old or less with fewer than 50,000 miles from inspection requirements.

LD 844 An Act To Improve Transit Services Statewide PUBLIC 182

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLEAN DIAMOND	OTP-AM	H-186

This bill replaces the requirement in current law for biennial plans for regional transit with a requirement for quinquennial plans, which is consistent with federal requirements. The bill eliminates the Interagency Transportation Coordinating Committee and replaces it with a new Public Transit Advisory Council. The council is required to assist state agencies and the Legislature on issues related to public transit services.

The bill provides that the council must include, at a minimum, the Commissioner of Transportation, the Commissioner of Health and Human Services, the Commissioner of Labor and the Commissioner of Economic and Community Development or their designees. The other members are appointed by the Commissioner of Transportation. The Commissioner of Transportation is required to invite members from the joint standing committee of the Legislature having jurisdiction over transportation matters representing different political parties