

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
127<sup>TH</sup> 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 127<sup>th</sup> 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 127<sup>th</sup> 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*

**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

## *Joint Standing Committee on Transportation*

and at least one representative of the Northern New England Passenger Rail Authority to participate in council meetings.

The council is required to report to the Governor and the joint standing committees of the Legislature having jurisdiction over transportation matters and health and human services matters by March 1st of each odd-numbered year.

### **Committee Amendment "A" (H-186)**

This amendment removes representatives of the Department of Labor, the Department of Health and Human Services and the Department of Economic and Community Development from the Public Transit Advisory Council, which the bill creates. The bill requires the council to make recommendations for the optimal coordination of transit services with other senior and veteran services provided by the Department of Transportation and the Department of Health and Human Services. The amendment requires the council to make recommendations for the optimal coordination of transit services with other senior and veteran services generally, without reference to those services provided by the departments.

It also removes the Department of Labor and the Department of Health and Human Services from the list of entities the Department of Transportation must consult with when designating regional public transportation agencies, approving locally coordinated plans for regional transit and coordinating purchase of service contracts.

### **Enacted Law Summary**

Public Law 2015, chapter 182 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 law 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 council is required to report to the Governor and the joint standing committees of the Legislature having jurisdiction over transportation matters and health and human services matters by March 1st of each odd-numbered year.

## **LD 845      An Act To Address Unmet Public Transportation Needs**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JORGENSEN VALENTINO	OTP-AM	H-121

This bill provides an ongoing General Fund appropriation to the Department of Transportation of \$3,000,000 beginning in fiscal year 2015-16. The bill also requires the State Controller to transfer, beginning June 1, 2016 and every June 1st thereafter, \$500,000 from the Multimodal Transportation Fund program, Other Special Revenue Funds account within the Department of Transportation, to the Multimodal Transit Fund program, Other Special Revenue Funds account within the Department of Transportation. The funds must be distributed to public transportation providers statewide to better meet the need for such services.

### **Committee Amendment "A" (H-121)**

This amendment strikes from the bill the requirement that the State Controller transfer, beginning June 1, 2016 and every June 1st thereafter, \$500,000 from the Multimodal Transportation Fund program, Other Special Revenue Funds account within the Department of Transportation, to the Multimodal Transit Fund program, Other Special Revenue Funds account within the Department of Transportation.

This bill was carried over on the Special Appropriations Table to any special or regular session of the 127th Legislature by joint order, S.P. 555.