

# 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  
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

**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

127<sup>TH</sup> 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 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.

<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 &amp; 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&amp;S XXX</i> .....	<i>chapter # of enacted private &amp; 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 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*

5. It strikes all proposed new prohibitions and penalties regarding vulnerable users, as the conduct and penalties are covered by current law in Titles 17-A and 29-A.

**Enacted Law Summary**

Public Law 2015, chapter 164:

- 1. Creates a vulnerable user law to protect people on public ways who are not in motor vehicles. A "vulnerable user" included a person who is more vulnerable to injury than a person in an automobile, truck or similar motor vehicle. A motorist who assaults, attempts to assault, taunts or distracts a vulnerable user, because that person is a vulnerable user, commits a traffic infraction and is subject to the same penalties as a person who texts while operating a motor vehicle;
- 2. Requires that driver education courses include instruction regarding sharing the road with vulnerable users;
- 3. Specifies that operators must yield the right-of-way to pedestrians who have shown visible intent to enter the marked crosswalk; and
- 4. Specifies that the responsibilities of bicyclists are like responsibilities of motor vehicle operators, but consolidates most of these provisions in the Maine Revised Statutes, Title 29-A, section 2063, which addresses the rights and duties of bicyclists.

**LD 1308 An Act To Eliminate the Requirement That Truck Campers Be Registered**

**Died Between Houses**

Sponsor(s)  
DAVIS  
SKOLFIELD

Committee Report  
ONTP  
OTP

Amendments Adopted

This bill repeals the requirement that truck campers be registered.

**LD 1320 An Act To Amend the Laws Relating to Motor Vehicles**

**PUBLIC 206**

Sponsor(s)  
MCLEAN  
ROSEN

Committee Report  
OTP-AM

Amendments Adopted  
H-224

This bill amends the motor vehicle laws to:

- 1. Increase the gross weight requirements for pickup trucks from 6,000 pounds to 10,000 pounds so pickup trucks under 10,001 pounds can be registered with passenger-type plates;
- 2. Increase the registration fee for antique autos from \$15 to \$30;
- 3. Discontinue the muffler bypass permit as this permit is obsolete;
- 4. Clarify that the cancellation fee for all commercial examinations, including a Class C commercial examination, is \$30;

## *Joint Standing Committee on Transportation*

5. Increase the fee for duplicate learner's permits from \$2 to \$5 to support the costs associated with issuance. A federal rule effective July 8, 2015 requires that a commercial driver's license permit be issued with the same security features as a base license. This will require a card-type permit to be issued with the same associated costs for production; and
6. Apply the same requirements of driving time needed in order to be eligible for a special restricted license for educational and employment needs as exists in current law for medical needs.

This bill also makes the operation of a motor vehicle while having a delta-9-tetrahydrocannabinol, or THC, level of five nanograms or more per milliliter of blood a criminal offense, authorizes the Secretary of State to suspend administratively the license of a person who operates a motor vehicle with a THC level of five nanograms or more per milliliter of blood and sanctions the use of approved preliminary breath-testing devices by law enforcement officers in determining whether a person operated a motor vehicle under the influence of intoxicants.

### **Committee Amendment "A" (H-224)**

This amendment strikes from the bill the provisions that apply the same requirements of driving time needed in order to be eligible for a special restricted license for education and employment needs as exists in current law for medical needs.

The amendment revises language in current law that gives the Secretary of State discretion to reject or recall a vanity plate that consists of or comprises language that is obscene, contemptuous, profane or prejudicial and replaces it with language that gives the Secretary of State discretion to reject or recall a vanity plate that consists of language that encourages violence or may result in an act of violence or other unlawful activity because of the content of the language requested by the registrant.

The amendment clarifies that reports made or received in determining whether a person is qualified to be issued a driver's license may be used by the medical personnel treating the person.

The amendment requires that a form created by the Commissioner of Public Safety must be used by scrap metal processors to collect and keep certain information when a scrap metal transaction occurs.

The amendment strikes from the bill provisions that make operation of a motor vehicle while having a delta-9-tetrahydrocannabinol, or THC, level of five nanograms or more per milliliter of blood a criminal offense. The amendment also strikes provisions that authorize the Secretary of State to suspend administratively the license of a person who with a THC level of five nanograms or more per milliliter of blood operates a motor vehicle and that sanction the use of approved preliminary breath test devices by law enforcement officers in determining whether a person operated a motor vehicle while under the influence of intoxicants.

### **Enacted Law Summary**

Public Law 2015, chapter 206:

1. Increases the gross weight requirements for pickup trucks from 6,000 pounds to 10,000 pounds so pickup trucks under 10,001 pounds can be registered with passenger-type plates;
2. Increases the registration fee for antique autos from \$15 to \$30;
3. Discontinues the muffler bypass permit as this permit is obsolete;
4. Clarifies that the cancellation fee for all commercial examinations, including a Class C commercial examination, is \$30;
5. Increases the fee for duplicate learner's permits from \$2 to \$5 to support the costs associated with issuance. A

## *Joint Standing Committee on Transportation*

federal rule effective July 8, 2015 requires that a commercial driver's license permit be issued with the same security features as a base license. This will require a card-type permit to be issued with the same associated costs for production;

6. Gives the Secretary of State discretion to reject or recall a vanity plate that consists of language that encourages violence or may result in an act of violence or other unlawful activity because of the content of the language requested by the registrant;
7. Clarifies that reports made or received in determining whether a person is qualified to be issued a driver's license may be used by the medical personnel treating the person; and
8. Requires that a form created by the Commissioner of Public Safety must be used by scrap metal processors to collect and keep certain information when a scrap metal transaction occurs.