

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

JOINT STANDING COMMITTEE ON TRANSPORTATION

August 2017

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STATE OF MAINE

128TH 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 128th 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 128th Legislature is Wednesday, November 1, 2017. 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 amends the section of law governing the location and construction of curbs in order to align the language to federal requirements and comply with the federal Americans with Disabilities Act of 1990.

Enacted Law Summary

Public Law 2017, chapter 9 amends the section of law governing the location and construction of curbs in order to align the language to federal requirements and comply with the federal Americans with Disabilities Act of 1990.

LD 242 An Act To Allow Extra Lights on the Front of a Motorcycle ONTP

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

This bill allows additional auxiliary lights on the front of a motorcycle.

LD 293 An Act To Require Horse-drawn Carriages and Wagons To Be Equipped with Reflectors ONTP

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

This bill requires vehicles propelled or drawn by a horse and operated at night to have a rear reflector of a specific size and color.

LD 294 Resolve, To Name the Bridge over the Penobscot River in the Towns of Enfield and Howland King's Bridge RESOLVE 3 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HANINGTON S DILL J	OTP	

This resolve names the bridge that spans the Penobscot River in the Town of Enfield and the Town of Howland King's Bridge.

Enacted Law Summary

Resolve 2017, chapter 3 names the bridge that spans the Penobscot River in the Town of Enfield and the Town of Howland King's Bridge.

Resolve 2017, chapter 3 was finally passed as an emergency measure effective April 10, 2017.

LD 306 An Act To Require State Compliance with Federal REAL ID Guidelines PUBLIC 27

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DIAMOND B	OTP-AM OTP-AM	S-17

Joint Standing Committee on Transportation

This bill repeals the law that prohibits the State from participating in the federal REAL ID Act of 2005 and the Secretary of State from changing the procedures for applying for a driver's license or nondriver identification card in a manner to conform to the federal REAL ID Act of 2005. It directs the Secretary of State to issue driver's licenses and nondriver identification cards that conform to the federal REAL ID Act of 2005.

Committee Amendment "A" (S-17)

This amendment, which is the majority report, provides that the Secretary of State may issue a driver's license or nondriver identification card that meets the standards of the federal REAL ID Act of 2005. The amendment also establishes fees for REAL ID compliant driver's licenses and nondriver identification cards.

Current law allows the Secretary of State to exempt a person from having to present documentary evidence of legal presence in the United States if that person is renewing a noncommercial driver's license and that person has continuously held a valid driver's license since December 31, 1989 or was born before December 1, 1964. Current law also provides that the Secretary of State may exempt a person from having to present documentary evidence of legal presence for a nondriver identification card if that person has held a nondriver identification card or valid driver's license since December 31, 1989 or was born before December 1, 1964. This amendment repeals these exemptions in order for the Secretary of State to comply with the requirements of the federal REAL ID Act of 2005.

The amendment allows the Secretary of State to use biometric technology, including, but not limited to, retinal scanning, facial recognition or fingerprint technology, to produce a driver's license or nondriver identification card.

This amendment also adds an allocation to the Secretary of State for implementation of the federal REAL ID Act of 2005.

Committee Amendment "B" (S-18)

This amendment, which is the minority report, strikes the bill and replaces it with a resolve. The amendment requires the Secretary of State to request a waiver of the requirements of the federal REAL ID Act of 2005 from the United States Department of Homeland Security pending the results of federal legislation. The amendment requires the Secretary of State to establish a process to provide a passport card or passport book to residents of Maine who do not have the required photographic identification to access federal or federally controlled facilities or to board commercial aircraft and demonstrate significant financial hardship, making the fee for a passport card or passport book cost-prohibitive. The amendment also requires the Secretary of State to administer an educational campaign about the requirements of the federal REAL ID Act of 2005 and the availability of the United States Department of State passport cards and passport books as an option to access federal facilities and commercial aircraft and the opportunity for Maine residents who require financial assistance to apply for a state-funded passport card or passport book. The funds for these purposes are in an amount approximately equal to the Secretary of State's estimated cost of up to \$3,000,000 to implement the federal REAL ID Act of 2005. The amendment also adds an emergency preamble and emergency clause and provides a one-time allocation to the Secretary of State to issue passport cards and passport books.

Enacted Law Summary

Public Law 2017, chapter 27 provides that the Secretary of State may issue a driver's license or nondriver identification card that meets the standards of the federal REAL ID Act of 2005. The law also establishes fees for REAL ID compliant driver's licenses and nondriver identification cards.

Public Law 2017, chapter 27 repeals certain exemptions in the law in order for the Secretary of State to comply with the requirements of the federal REAL ID Act of 2005.

Public Law 2017, chapter 27 allows the Secretary of State to use biometric technology, including, but not limited to, retinal scanning, facial recognition or fingerprint technology, to produce a driver's license or nondriver identification card.