

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
128<sup>TH</sup> LEGISLATURE  
FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



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

**JOINT STANDING COMMITTEE ON TRANSPORTATION**

October 2018

**STAFF:**

KAREN NADEAU, 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  
<http://legislature.maine.gov/opla/>

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# STATE OF MAINE

128<sup>TH</sup> LEGISLATURE

FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contain summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Special, Second Regular and Second Special Sessions of the 128<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 dates for non-emergency legislation enacted in the First Special, Second Regular or Second Special Sessions of the 128<sup>th</sup> Legislature are: Monday, February 5, 2018; Wednesday, August 1, 2018; and Thursday, December 13, 2018, respectively. 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*

**LD 209      An Act To Amend the Laws Governing Temporary Sign Usage**

**PUBLIC 321**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| PARRY W           | OTP-AM                  | H-573                     |

This bill was reported out of committee and then recommitted to the committee in the First Regular Session of the 128th Legislature; it was then carried over to the Second Regular Session of the 128th Legislature.

The bill, which is a concept draft pursuant to Joint Rule 208, proposes to make changes to the laws regarding categorical signs to adjust the time, placement and content restrictions imposed on temporary signs placed within a public right-of-way.

**Committee Amendment "B" (H-573)**

This amendment, which is the same as the unanimous committee report from the First Regular Session, replaces the bill, which is a concept draft. The amendment increases the amount of time a temporary sign may be placed in the public right-of-way from a maximum of six weeks per calendar year to a maximum of 12 weeks per calendar year. The amendment clarifies that temporary signs within the public right-of-way must include or be marked with the name and address of the individual, entity or organization that placed the sign within the public right-of-way and the date the sign was erected within the public right-of-way.

**Enacted Law Summary**

Public Law 2017, chapter 321 increases the amount of time a temporary sign may be placed in the public right-of-way from a maximum of six weeks per calendar year to a maximum of 12 weeks per calendar year. The law clarifies that temporary signs within the public right-of-way must include or be marked with the name and address of the individual, entity or organization that placed the sign within the public right-of-way and the date the sign was erected within the public right-of-way.

**LD 584      An Act To Create the Fund for Municipalities To Improve Pedestrian Safety**

**Accepted Majority (ONTP) Report**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| LIBBY N           | ONTP<br>OTP-AM          |                           |

This bill was carried over from the First Regular Session to the Second Regular Session of the 128th Legislature.

The bill establishes the Fund for Municipalities To Improve Pedestrian Safety as a program account in the Highway Fund within the Department of Transportation. The bill provides that the fund must be used for pedestrian safety improvements, such as lights, paint, signs, speed bumps and reconstruction of intersections. The bill also provides that a municipality or a group of municipalities may apply for funding from the fund. Up to 2/3 of project costs for pedestrian safety improvements may be financed from the fund with the remainder of the costs provided by the municipality or group of municipalities.

**Committee Amendment "A" (S-350)**

This amendment, which is the minority report of the committee, provides that up to 80%, instead of 2/3 as proposed in the bill, of project costs for pedestrian safety improvements may be financed from the Fund for Municipalities To Improve Pedestrian Safety. The amendment also provides that up to 100% of proposed project costs for pedestrian

## *Joint Standing Committee on Transportation*

safety improvements may be financed from the fund if the project is located within an area identified by the Department of Transportation as a dangerous intersection based on pedestrian crash data. The amendment also requires the department to notify municipalities of the required biennial report and pedestrian crash data. Finally, the amendment provides that the Fund for Municipalities To Improve Pedestrian Safety receives revenue from uncommitted balances in the Multimodal Transportation Fund and other funds from any public or private source.

**LD 1149      An Act To Provide Revenue To Fix and Rebuild Maine's Infrastructure**

**Died On  
Adjournment**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MCLEAN A          | OTP-AM<br>ONTP          |                           |

This bill was carried over from the First Regular Session to the Second Regular Session of the 128th Legislature. This bill was reported out in the Second Regular Session and again carried over from the Second Regular Session to the next special session by joint order S.P. 748.

The bill does the following for the purpose of increasing the revenue to the Highway Fund.

1. It increases by \$3 to \$10 certain fees charged by the Secretary of State for driver's license examinations, temporary license plates, nondriver identification cards, issuance of duplicate registrations, titles, licenses and nondriver identification cards and transfers of registrations.
2. It imposes a \$200 surcharge, dedicated to the Highway Fund, on the registration of hybrid motor vehicles, battery-electric motor vehicles and hydrogen fuel cell motor vehicles.
3. It requires 10% of the sales tax imposed on transportation-related items, such as motor vehicles and the products for the repair and maintenance of motor vehicles, such as motor oil, batteries and tires, to be transferred to the Highway Fund on a monthly basis.
4. It increases the tax imposed on motor vehicle fuel by 7¢ per gallon, to 36.5¢ per gallon, beginning October 1, 2017.

### **Committee Amendment "A" (H-682)**

This amendment, which is the majority report of the committee, removes the provisions in the bill that impose a surcharge on the registration of hybrid motor vehicles, battery-electric motor vehicles and hydrogen fuel cell motor vehicles.

The amendment removes certain examination fee increases for driver's licenses since these fees were increased in the Highway Fund budget bill, Public Law 2017, chapter 283.

The amendment removes certain fee increases for a nondriver identification card, a duplicate nondriver identification card and a duplicate registration certificate.

The amendment removes tax increases imposed on motor vehicle fuel by 7¢ per gallon, from 29.5¢ per gallon to 36.5¢ per gallon, beginning October 1, 2017. Instead, the amendment proposes to increase the tax on motor vehicle fuel by 3¢ per gallon, from 29.5¢ per gallon to 32.5¢ per gallon, beginning January 1, 2019 and by another 3¢ per gallon, from 32.5¢ per gallon to 35.5¢ per gallon, beginning January 1, 2020.