

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
128<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON TRANSPORTATION**

August 2017

**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/legis/opla/>

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# STATE OF MAINE

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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 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 date for non-emergency legislation enacted in the First Regular Session of the 128<sup>th</sup> 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*

need to retrieve the motor vehicle and pay all towing, storage and authorized repair charges or risk losing title to the vehicle. The bill requires waiver of any towing or storage fee if notification to the owner or lienholder has not been timely made or if the notification to the Secretary of State has not been made within 14 days after receipt of the vehicle as required by law unless the person who tows or stores the towed vehicle makes a good faith attempt to notify the owner or lienholder and notify the Secretary of State.

### **Committee Amendment "A" (H-341)**

This amendment replaces the bill and changes the title. The amendment applies to a vehicle that is left at a storage facility, if the owner failed to pay storage or rental fees, and to a vehicle left at a place of business after being repaired pursuant to a written work order signed by the person requesting the repair work.

The amendment provides that the owner of the premises where a vehicle is stored or the owner's agent is required to notify the Secretary of State that the owner or owner's agent is in possession of the vehicle. That notification must be submitted to the Secretary of State within 14 days after the date on which the vehicle owner is responsible for any unpaid charges for authorized repair or for storage and any related towing expenses incurred by the owner or the owner's agent in possession of the vehicle.

The amendment also clarifies that if notification is not submitted to the Secretary of State, the person holding the vehicle may not collect more than 14 days of storage fees.

### **Enacted Law Summary**

Public Law 2017, chapter 240 applies to a vehicle that is left at a storage facility, if the owner failed to pay storage or rental fees, and to a vehicle left at a place of business after being repaired pursuant to a written work order signed by the person requesting the repair work.

The law provides that the owner of the premises where a vehicle is stored or the owner's agent is required to notify the Secretary of State that the owner or owner's agent is in possession of the vehicle. That notification must be submitted to the Secretary of State within 14 days after the date on which the vehicle owner is responsible for any unpaid charges for authorized repair or for storage and any related towing expenses incurred by the owner or the owner's agent in possession of the vehicle. The law also clarifies that if notification is not submitted to the Secretary of State, the person holding the vehicle may not collect more than 14 days of storage fees.

**LD 1252**

### **An Act To Permit the Operation of Certain All-terrain Vehicles on Public Ways**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN D JACKSON T	ONTP	

This bill allows the operation of an all-terrain vehicle, or ATV, on a public way as long as the ATV is registered and meets specified safety equipment requirements and the operator is licensed and has insurance. This bill establishes an annual registration fee of \$33, the same as for ATVs under current law that are not permitted on a public way. This bill prohibits the operation of an ATV on a public way with a posted speed limit of more than 50 miles per hour. The Department of Transportation may adopt rules or a municipality or county may adopt an ordinance to restrict or prohibit the operation of an ATV on a way if the department, county or municipality determines that the restriction or prohibition is necessary in the interest of public safety.