

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
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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 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 requires all flaggers, including those who are privately employed, at state-funded or federally funded highway construction sites on public ways to submit to substance abuse testing, which may be based on probable cause or random, in compliance with current law regarding substance abuse testing of employees. The Department of Transportation is required to adopt rules to implement testing for all flaggers; the rules must be consistent with the law regarding substance abuse testing and may be based on existing state policy.

Committee Amendment "A" (S-87)

This amendment incorporates a fiscal note.

This amendment was not adopted.

LD 1426 An Act To Allow the Use of Biotopic or Telescopic Corrective Lenses To Meet the Vision Examination Requirements for a Class C Driver's License **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK A	ONTP	

In lieu of a vision test, current law allows a person applying for a driver's license to submit a certificate signed by a doctor, optometrist, registered nurse or other person approved by the Secretary of State attesting to the person's visual acuity and field of vision. This bill allows a person employing this option with regard to a Class C license to use telescopic or biotopic corrective lenses for the purpose of meeting vision examination standards as long as the doctor, optometrist, registered nurse or person approved by the Secretary of State certifies that the patient's condition does not interfere with the safe operation of a motor vehicle.

LD 1439 Resolve, To Study the Placement of Vehicle Charging Stations on Maine's Highways **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CASAS O MASON G	ONTP	

This resolve establishes the Commission To Study the Placement of Vehicle Charging Stations on Maine's Highways. The commission is charged with studying the placement of vehicle charging stations on Maine's highways and related costs. The commission is required to submit a report containing its findings and recommendations to the Second Regular Session of the 128th Legislature by December 6, 2017.

LD 1440 An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, Highway Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2018 and June 30, 2019 **PUBLIC 283
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLEAN A COLLINS R	OTP-AM	H-504

Part A makes allocations of funds for the fiscal years ending June 30, 2018 and June 30, 2019.

Joint Standing Committee on Transportation

Part B provides funding for approved reclassifications and range changes.

Part C changes the allocation of funding for the Department of Public Safety, Bureau of State Police from 35% from the Highway Fund and 65% from the General Fund, to 100% from the General Fund.

Part D recognizes an increase in the attrition rate from 1.6% to 5% for the 2018-2019 biennium for judicial branch and executive branch departments and agencies.

Part E allows the Maine Municipal Bond Bank to issue up to \$50,000,000 of GARVEE bonds for highway and bridge needs.

Part F requires the State Controller to transfer amounts exceeding \$100,000 from the unallocated balance in the Highway Fund after all commitments to the Highway and Bridge Capital, Highway Light Capital and Maintenance and Operations programs within the Department of Transportation for capital needs.

Part G authorizes the Commissioner of Transportation to transfer Highway Fund Personal Services balance available at the end of each fiscal year to the Department of Transportation Highway and Bridge Capital, Highway Light Capital and Maintenance and Operations programs for capital or all other needs. The funds may be allocated by financial order upon the recommendation of the State Budget Officer and the approval of the Governor.

Part H requires the State Controller to transfer \$6,253,259 in fiscal year 2017-18 and \$6,328,638 in fiscal year 2018-19 from the unallocated surplus of the Highway Fund to the TransCap Trust Fund.

Part I allows TransCap Trust Fund nonbond funds to be used for capital projects with an anticipated useful life of five years or more.

Committee Amendment "A" (H-504)

This amendment removes the change in the allocation of funding in the bill and instead increases certain examination fees charged by the Secretary of State for driver's license examinations. The effective date of these fee increases is January 1, 2018.

Enacted Law Summary

Public Law 2017, chapter 283 does the following.

Part A makes allocations of funds for the fiscal years ending June 30, 2018 and June 30, 2019.

Part B provides funding for approved reclassifications and range changes.

Part C increases certain examination fees charged by the Secretary of State for driver's license examinations. The effective date of these fee increases is January 1, 2018.

Part D recognizes an increase in the attrition rate from 1.6% to 5% for the 2018-2019 biennium for judicial branch and executive branch departments and agencies.

Part E allows the Maine Municipal Bond Bank to issue up to \$50,000,000 of GARVEE bonds for highway and bridge needs.

Part F requires the State Controller to transfer amounts exceeding \$100,000 from the unallocated balance in the Highway Fund after all commitments to the Highway and Bridge Capital, Highway Light Capital and Maintenance and Operations programs within the Department of Transportation for capital needs.

Part G authorizes the Commissioner of Transportation to transfer Highway Fund Personal Services balance

Joint Standing Committee on Transportation

available at the end of each fiscal year to the Department of Transportation Highway and Bridge Capital, Highway Light Capital and Maintenance and Operations programs for capital or all other needs. The funds may be allocated by financial order upon the recommendation of the State Budget Officer and the approval of the Governor.

Part H requires the State Controller to transfer \$6,253,259 in fiscal year 2017-18 and \$6,328,638 in fiscal year 2018-19 from the unallocated surplus of the Highway Fund to the TransCap Trust Fund.

Part I allows TransCap Trust Fund nonbond funds to be used for capital projects with an anticipated useful life of five years or more.

Public Law 2017, chapter 283 was enacted as an emergency measure effective July 1, 2017.

See also LD 1318.

LD 1460 An Act To Remove the Secretary of State's Authority To Authorize ONTP
Agents To Issue Noncommercial Driver's License Renewals and
Nondriver Identification Card Renewals

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHITTEMORE R	ONTP	

This bill removes the authority of the Secretary of State to appoint agents authorized to issue noncommercial driver's license renewals, duplicates of noncommercial driver's license renewals and nondriver identification card renewals.

LD 1523 An Act To Exempt Motor Vehicles Less than 12 Years Old from Accepted Majority
Inspection (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CEBRA R	ONTP OTP-AM	

This bill exempts a motor vehicle that is less than 12 years old from inspection.

Committee Amendment "A" (H-319)

This amendment, which is the minority report, incorporates a fiscal note.

This amendment was not adopted.

LD 1524 An Act To Amend Maine Motor Vehicle Laws PUBLIC 165

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HANINGTON S	OTP-AM	H-316

This bill amends the motor vehicle and traffic laws to:

1. Clarify the definition of the word "wrecker" to specify that it applies only when the vehicle is in the act of