

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

towing or carrying a vehicle or freeing a stuck vehicle;

2. Decriminalize certain provisions of law regarding fuel tax licensing and reporting. Displaying a false fuel use identification decal remains a Class D crime;
3. Specify that the version of the federal regulations incorporated by reference into rules of the Department of Public Safety is the most current version as filed with the Secretary of State;
4. Increase the class of crime from a Class E to a Class D crime for operating, or permitting the operation of, a motor vehicle without proof of financial responsibility and to a Class C crime if death or serious bodily injury results from an accident involving that motor vehicle;
5. Clarify that the exemption from inspection requirements for antique autos applies only if the vehicle is registered as an antique auto;
6. Require a truck tractor owner or operator to display on both sides of the truck tractor the name of the owner or lessee in letters that meet the standards set forth in the Code of Federal Regulations. Current law specifies the size of the letters;
7. Correct an error in the statute pertaining to splash guards to exempt a truck tractor from having splash guards when it is hauling a trailer or semitrailer;
8. Reallocate from the Maine Revised Statutes, Title 22 to Title 29-A the statute that prohibits a person from smoking in a motor vehicle when a person who has not attained 16 years of age is present in that motor vehicle; and
9. Clarify the statute governing vehicle lengths so that it explicitly states the statute applies to recreational vehicles and so that it conforms certain vehicle lengths to federal law.

Committee Amendment "A" (H-316)

Under current law, the definition of "wrecker" specifically excludes a vehicle designed to carry or tow more than one vehicle on its own body. This amendment amends that definition to include a vehicle designed to carry or tow up to two vehicles on its own body.

The amendment also strikes redundant language that seeks to clarify that the version of federal regulations incorporated by reference into the rules of the Department of Public Safety, Maine State Police is the most current version as filed with the Secretary of State. Current law already provides for this.

The amendment strikes from the bill the provision that creates the Class C crime of operating, or permitting the operation of, a motor vehicle without proof of financial responsibility if death or serious bodily injury results from an accident involving that motor vehicle.

The amendment makes a technical correction to a reference to a federal regulation.

Current law specifies that a truck tractor need not be equipped with splash guards when it is not hauling a trailer or semitrailer. The amendment repeals that exception.

The bill reallocates from the Maine Revised Statutes, Title 22 to Title 29-A the statute that prohibits a person from smoking in a motor vehicle when a person who has not attained 16 years of age is present in that motor vehicle. The amendment provides that a penalty for a violation of this prohibition is a traffic infraction rather than a civil violation.

Enacted Law Summary

Joint Standing Committee on Transportation

Public Law 2017, chapter 165 amends the motor vehicle and traffic laws to:

1. Clarify the definition of "wrecker" to specify that it applies only when the vehicle is in the act of towing or carrying a vehicle or freeing a stuck vehicle and amends that definition to include a vehicle designed to carry or tow up to two vehicles on its own body;
2. Decriminalize certain provisions of law regarding fuel tax licensing and reporting. Displaying a false fuel use identification decal remains a Class D crime;
3. Increase the class of crime from a Class E to a Class D crime for operating, or permitting the operation of, a motor vehicle without proof of financial responsibility;
4. Clarify that the exemption from inspection requirements for antique autos applies only if the vehicle is registered as an antique auto;
5. Require a truck tractor owner or operator to display on both sides of the truck tractor the name of the owner or lessee in letters that meet the standards set forth in the Code of Federal Regulations. Current law specifies the size of the letters;
6. Reallocate from the Maine Revised Statutes, Title 22 to Title 29-A the statute that prohibits a person from smoking in a motor vehicle when a person who has not attained 16 years of age is present in that motor vehicle and provides that a penalty for a violation of this prohibition is a traffic infraction rather than a civil violation;
7. Correct an error in the statute pertaining to splash guards, which are required on a truck, truck tractor, trailer and semitrailer at all times; and
8. Clarify the statute governing vehicle lengths so that it explicitly states the statute applies to recreational vehicles and so that it conforms certain vehicle lengths to federal law.

LD 1559 An Act To Remove the Law Mandating a Front License Plate

ONTP

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

This bill removes the requirement that a motor vehicle must display a registration plate on the front of the motor vehicle.

LD 1577 An Act To Amend the Motor Vehicle Laws

PUBLIC 229

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLEAN A COLLINS R	OTP-AM	H-315

This bill makes the following changes to the motor vehicle laws:

1. It allows a municipal official or other persons designated by the municipality to receive and process applications for noncommercial driver's license renewals and duplicates and nondriver identification card renewals and duplicates through the municipality;