

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH LEGISLATURE
FIRST REGULAR SESSION



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

JOINT STANDING COMMITTEE ON TRANSPORTATION

August 2019

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STATE OF MAINE

129TH 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 129th 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 129th Legislature is Thursday, September 19, 2019. 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 that a temporary sign, which includes a campaign sign, placed within the public right-of-way that advertises or announces an event must be removed from the right-of-way within four weeks after the event and, if the sign is not removed within that four-week period, the municipality in which the sign is located may remove the sign and assess the individual, entity or organization that placed the sign a fee of \$10.

LD 1222 An Act Regarding Electric Bicycles

PUBLIC 349

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RYKERSON D GRATWICK G	OTP-AM	H-511

This bill defines and regulates the use of electric bicycles, which are bicycles with a motor and which fall into one of 3 classes, depending on the top speed attainable and whether the operator needs to pedal while the motor is propelling the electric bicycle. The bill provides that an operator of an electric bicycle has generally the same rights and obligations as the operator of a bicycle, except that the use of an electric bicycle on bicycle paths and bikeways may be restricted by the entity having jurisdiction over the bicycle path or bikeway. An electric bicycle is considered a vehicle for purposes of the State's so-called open container law and, as with bicycles, any person under 16 years of age who is operating or riding as a passenger on an electric bicycle must wear a helmet.

Committee Amendment "A" (H-511)

This amendment makes minor technical edits to the bill, including to the definitions of Class 1, Class 2 and Class 3 electric bicycles, and clarifies the label requirement to apply only to a manufacturer, distributor or seller in the State. The amendment also makes changes to the age restrictions in the bill.

Enacted Law Summary

Public Law 2019, chapter 349 defines and regulates the use of electric bicycles, which are bicycles with a motor and which fall into one of 3 classes, depending on the top speed attainable and whether the operator needs to pedal while the motor is propelling the electric bicycle. It provides that an operator of an electric bicycle has generally the same rights and obligations as the operator of a bicycle, except that the use of an electric bicycle on bicycle paths and bikeways may be restricted by the entity having jurisdiction over the bicycle path or bikeway. The operator of an electric bicycle is subject to the State's so-called open container law and, as with bicycles, any person under 16 years of age who is operating or riding as a passenger on an electric bicycle must wear a helmet.

**LD 1223 Resolve, Directing the Department of Transportation To Incorporate
Transportation Demand Management Strategies in Its Rules Pertaining
to Traffic Movement Permits**

RESOLVE 89

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MORALES V	OTP-AM	H-454

This bill amends the requirements for a traffic movement permit for a project by requiring the Department of Transportation to require all reasonable traffic mitigation measures that could avoid the expansion of a roadway. This bill requires an analysis of all modes of transportation affected by the project and a design to ensure that the project does not promote one mode of transportation in a way that negatively impacts another. This bill also requires the department to include within the scope of impact evaluation an analysis estimating the amount of vehicle, pedestrian, bicycle, transit and trail use that could be generated by the project.

Committee Amendment "A" (H-454)

Joint Standing Committee on Transportation

This amendment strikes and replaces the bill with a resolve requiring the Commissioner of Transportation to form a stakeholder group to review the Department of Transportation's rules pertaining to the traffic movement permit process. The commissioner is required to submit major substantive rules amending the traffic movement permit process adopted pursuant to the Maine Revised Statutes, Title 23, section 704-A, based on the findings and recommendations of the stakeholder group, no later than February 1, 2020. This amendment also allows the Joint Standing Committee on Transportation to introduce a bill related to the traffic movement permit process during the Second Regular Session of the 129th Legislature.

Enacted Law Summary

Resolve 2019, chapter 89 requires the Commissioner of Transportation to form a stakeholder group to review the Department of Transportation's rules pertaining to the traffic movement permit process. The commissioner is required to submit major substantive rules amending the traffic movement permit process adopted pursuant to the Maine Revised Statutes, Title 23, section 704-A, based on the findings and recommendations of the stakeholder group, no later than February 1, 2020. This law also allows the Joint Standing Committee on Transportation to introduce a bill related to the traffic movement permit process during the Second Regular Session of the 129th Legislature.

LD 1257 An Act To Prepare Maine for a Low-carbon Transportation Future

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT M MIRAMANT D	ONTP	

This bill authorizes the Secretary of State to require the owner of an electric vehicle to pay an electric vehicle registration surcharge of \$25 per year when at least 3,000 electric vehicles are annually registered in the State. The amount of the surcharge increases to \$50 per year when at least 10,000 electric vehicles are annually registered in the State. The municipality that collects the annual electric vehicle registration surcharge is required to expend no less than 50% of the surcharge to construct or modify public infrastructure that facilitates the charging of electric vehicles for use by the general public or for other purposes that encourage or support the purchase and use by the general public of electric vehicles.

The bill also directs the Governor's Energy Office to convene an electric vehicle task force, which is charged with reviewing a number of matters relating to electric vehicles and electric vehicle infrastructure. The director of the office is required to report by February 15, 2020 to the Joint Standing Committee on Energy, Utilities and Technology and the Joint Standing Committee on Transportation regarding any recommendations of the task force, including proposed legislation. After reviewing the report, the committees may report out legislation to the Second Regular Session of the 129th Legislature.

The bill also directs the Commissioner of Transportation to take a number of actions regarding short-term and long-term planning for road infrastructure and highway funding, including a review of potential new vehicle or road use fees. The commissioner is directed to report by February 15, 2021 to the joint standing committees of the Legislature having jurisdiction over energy, utilities and technology matters and transportation matters regarding those actions and including any findings and recommendations and proposed legislation necessary to implement those recommendations. After reviewing the report, the committees may report out legislation to the First Regular Session of the 130th Legislature.