

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

STAFF:

SAMUEL W. PRAWER, 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/>

MEMBERS:

SEN. G. WILLIAM DIAMOND, CHAIR
SEN. BENJAMIN M. CHIPMAN
SEN. BRADLEE THOMAS FARRIN

REP. ANDREW J. MCLEAN, CHAIR
REP. MARK E. BRYANT
REP. BETTY A. AUSTIN
REP. BENJAMIN T. COLLINGS
REP. BETTYANN W. SHEATS
REP. BRUCE A. WHITE
REP. MICHAEL D. PERKINS
REP. RICHARD M. CEBRA
REP. DUSTIN MICHAEL WHITE
REP. THOMAS H. MARTIN, JR.

STATE OF MAINE

129TH LEGISLATURE
FIRST REGULAR SESSION



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

1. Defining a provider for an automated vehicle as an individual, organization or joint enterprise that controls an automated driving system of an automated vehicle for testing or deployment of the automated vehicle on a public way;
2. Requiring the Secretary of State to record on the automated vehicle's registration that the vehicle is an automated vehicle and the identity of the provider for the automated vehicle;
3. Requiring the Secretary of State to terminate the registration or refuse to register or renew a registration of an automated vehicle that has been modified or has had its automated driving system modified or that the Secretary of State determines is unsafe or unfit for operation on a public way;
4. Providing that the automated vehicle has two operators, an individual operator when the automated driving system is not engaged and the provider as the operator when the automated driving system is engaged, and, under most instances, that the applicable operator is responsible for the proper operation of the automated vehicle and is liable for an infraction, offense or negligence resulting in bodily injury, death or property damage; and
5. Requiring, if an automated vehicle is involved in an accident while the automated driving system is engaged, that pursuant to the provisions of law regarding motor vehicle accident reports, the automated vehicle not be moved and that the provider immediately contact the applicable law enforcement agency, inform the law enforcement agency that the automated driving system was engaged at the time of the accident and transmit electronically or by the fastest means available the financial responsibility information required for the vehicle.

LD 1714 Resolve, Directing the Secretary of State To Enter into a Reciprocal Agreement between the State and Taiwan Regarding Driver's Licenses CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STEWART T KEIM L		

This resolve directs the Secretary of State to begin negotiations toward the development of a reciprocal agreement between the Department of the Secretary of State, Bureau of Motor Vehicles and Taiwan for reciprocity, beginning January 1, 2021, in issuing driver's licenses to residents of this State who reside in Taiwan and to Taiwanese citizens who reside in this State.

This resolve was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1769 An Act To Make Various Changes to the Motor Vehicle Laws PUBLIC 335

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLEAN A	OTP-AM	H-515

This bill amends the motor vehicle laws in the following ways.

1. It amends the law governing motor vehicle frame end heights to increase dimensions for current weight ranges of vehicles. It also adds vehicles from 11,501 pounds to 13,000 pounds, which may have frame end heights of 32 inches in the front and 34 inches in the rear.
2. It establishes that a vehicle owned by the Department of Public Safety may be equipped with blue emergency lighting and a siren, but neither the lighting nor the siren may be displayed or used except when the vehicle is being

Joint Standing Committee on Transportation

operated by a law enforcement officer.

3. It establishes that a person may not operate, or cause to have operated, a diesel-powered motor vehicle with a manufacturer's gross vehicle weight rating under 18,000 pounds that emits visible smoke on a public way or parking area because of a permanent or temporary alteration to the air pollution control system of the motor vehicle. Emitting visible smoke by using such an alteration is commonly referred to as "rolling coal."

4. It excludes the use of electronic logging devices from the definition of "text messaging" in the law that governs text messaging while operating a motor vehicle.

5. It establishes that the law governing motor vehicle heights and widths does not apply to snowplows and equipment mounted on a vehicle traveling from one work location to another work location during a snow event, or traveling from the point of purchase to a storage location, as long as the vehicle does not exceed 108 inches in total width. The term "snow event" is defined as the period beginning 48 hours before a predicted snowstorm and ending 48 hours after the snowstorm.

Committee Amendment "A" (H-515)

This amendment makes the following changes to the bill.

1. It defines "heavy duty recovery vehicle."

2. It adds heavy duty recovery vehicles to the list of vehicles allowed to be issued long-term permits for overweight operation issued by the Secretary of State.

3. It removes the section of the bill that amends the definition of "text messaging."

4. It removes a cross-reference to the definition of "law enforcement officer."

5. It modifies the definition of "snow event."

Enacted Law Summary

Public Law 2019, chapter 335 amends the motor vehicle laws in the following ways.

1. It amends the law governing motor vehicle frame end heights to increase dimensions for current weight ranges of vehicles. It also adds vehicles from 11,501 pounds to 13,000 pounds, which may have frame end heights of 32 inches in the front and 34 inches in the rear.

2. It establishes that a vehicle owned by the Department of Public Safety may be equipped with blue emergency lighting and a siren, but neither the lighting nor the siren may be displayed or used except when the vehicle is being operated by a law enforcement officer.

3. It establishes that a person may not operate, or cause to have operated, a diesel-powered motor vehicle with a manufacturer's gross vehicle weight rating under 18,000 pounds that emits visible smoke on a public way or parking area because of a permanent or temporary alteration to the air pollution control system of the motor vehicle. Emitting visible smoke by using such an alteration is commonly referred to as "rolling coal."

4. It establishes that the law governing motor vehicle heights and widths does not apply to snowplows and equipment mounted on a vehicle traveling from one work location to another work location during a snow event, or traveling from the point of purchase to a storage location, as long as the vehicle does not exceed 108 inches in total width. The term "snow event" is defined as the period beginning 48 hours before a snowstorm and ending 48 hours after the snowstorm.

Joint Standing Committee on Transportation

5. It defines "heavy duty recovery vehicle."

6. It adds heavy duty recovery vehicles to the list of vehicles allowed to be issued long-term permits by the Secretary of State for overweight operation.

LD 1782 An Act To Amend the Motorcycle Rider Education and Driver Education Laws

PUBLIC 337

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHITE B DIAMOND B	OTP-AM	H-510

This bill amends the motorcycle rider education laws to clarify that a person who completes a motorcycle rider education course approved by the Secretary of State on a two-wheel motorcycle may operate a two-wheel or three-wheel motorcycle and that a person who completes a motorcycle rider education course approved by the Secretary of State on a three-wheel motorcycle may only operate a three-wheel motorcycle. A person who holds a motorcycle learner's permit and who completes a motorcycle road test administered by the Secretary of State on a three-wheel motorcycle is also restricted to the operation of a three-wheel motorcycle. The bill requires motorcycle rider education schools to be licensed, submit to inspections and establish a place of business.

The bill also amends the driver education program laws to require that the two instructors who serve on the Secretary of State's Technical Review Panel be licensed in the curriculum and training being reviewed. The bill removes the authorization for the State to bring an action in Superior Court to enjoin a person from violating the driver education laws, as the penalties under those laws are administered by the District Courts.

Committee Amendment "A" (H-510)

This amendment makes the following changes to the bill.

1. It clarifies the motorcycle rider education course provisions.
2. It clarifies that a motorcycle rider education school must continually comply with the requirements to obtain or renew a motorcycle rider education school license.
3. It clarifies which records must be retained by a motorcycle rider education school for five years.
4. It clarifies the penalty provisions contained in the bill and makes failure to comply with motorcycle rider education instructor standards and requirements a traffic infraction.

Enacted Law Summary

Public Law 2019, chapter 337 amends the motorcycle rider education laws to clarify that a person who completes a motorcycle rider education course approved by the Secretary of State on a two-wheel motorcycle may operate a two-wheel or three-wheel motorcycle and that a person who completes a motorcycle rider education course approved by the Secretary of State on a three-wheel motorcycle may only operate a three-wheel motorcycle. A person who holds a motorcycle learner's permit and who completes a motorcycle road test administered by the Secretary of State on a three-wheel motorcycle is also restricted to the operation of a three-wheel motorcycle. It requires motorcycle rider education schools to be licensed, submit to inspections and establish a place of business.

The law also amends the driver education program laws to require that the two instructors who serve on the Secretary of State's Technical Review Panel be licensed in the curriculum and training being reviewed. The bill removes the authorization for the State to bring an action in Superior Court to enjoin a person from violating the driver education laws, as the penalties under those laws are administered by the District Courts.