

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
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

LD 1783 **An Act To Amend the Motor Vehicle Laws**

PUBLIC 397

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT M DIAMOND B	OTP-AM	H-588

This bill is the Department of the Secretary of State, Bureau of Motor Vehicles' omnibus bill. The bureau is recommending several changes to the motor vehicle laws to facilitate program administration and to bring administrative fees more in line with actual costs.

It amends the enforcement provision governing dealers, transporters and automobile graveyards to change investigators to motor vehicle detectives to match the current job title.

It replaces the requirement that an applicant for an original motor vehicle registration submit a dealer's certificate with the requirement that the applicant submit a properly completed bill of sale. It replaces the requirement that a municipal official retain from the use taxes collected a fee of \$1.25 for each vehicle with a requirement that the Secretary of State be reimbursed by the State Tax Assessor \$1.25 per use tax certificate processed. It requires registration certificates to be forwarded to the Secretary of State as well as the State Tax Assessor.

It amends the law allowing the Secretary of State to refuse to issue or to recall a vanity plate having language that encourages violence or may result in an act of violence or other unlawful activity to remove express language stating that it is the Secretary of State who makes the finding regarding the language.

It repeals the requirement that the Commissioner of Inland Fisheries and Wildlife submit a new sportsman registration plate design every six years.

It repeals the trailer transit plate provision from the law regarding temporary registration plates and enacts the language of the provision in the law regarding special dealer licenses and plates. It makes a violation of that provision a traffic infraction and specifies a trailer transit plate expires annually at the end of March.

It removes the 10-year authorization period for recognition license plates.

It reduces the minimum number of registrations required for eligibility for the 25-year permanent registration program for semitrailers from 30,000 to 20,000.

It repeals the moratorium on commemorative veteran decals, which ran from October 1, 2009 to October 1, 2014.

It clarifies that International Registration Plan credentials may be presented in electronic format.

It changes the retention period for information pertaining to a scrapped vehicle from one year to five years to bring it into compliance with the record requirements for salvage vehicle recyclers. It adds an accuracy requirement to allow for a penalty for recyclers who incorrectly record information for scrapped vehicles of model years 1995 to 1999 and makes a violation a traffic infraction.

It amends the Maine Revised Statutes, Title 29-A, section 667, regarding salvage vehicles, to change the reporting requirements due date in the provisions regarding surrender and cancellation of a certificate of title or certificate of salvage from "immediately" to within 30 days. It adds scrap processors to the list of persons to whom an owner must have transferred a vehicle for which a certificate of salvage has not been issued in order for that vehicle to be deemed declared by the owner to be a salvage vehicle. It also allows a salvage dealer, recycler or scrap processor to retain possession of a certificate of salvage until the recycler scraps or dismantles the vehicle and requires that 30

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days after the scrapping or dismantling of the vehicle the certificate of title or certificate of salvage must be delivered to the Secretary of State for cancellation. It repeals the current requirement regarding the surrender of the certificate of title or certificate of salvage.

It requires a salvage dealer, recycler or scrap processor to obtain the vehicle seller's name and address from a government-issued photograph identification document or credential.

It requires a licensed mobile crusher to maintain an operator log for each of its locations, which must include the make, model, model year and vehicle identification number of each vehicle crushed and the date of the action.

It adds the requirement for recyclers to use the National Motor Vehicle Title Information System as required by federal law and regulation.

It provides for the issuance of a commercial learner's permit for one year.

It provides a motorcycle driver education instructor a hearing pursuant to Title 29-A, chapter 23, subchapter 2, article 3 when refused an instructor's license or the instructor's license is suspended or revoked.

It allows the Secretary of State to suspend, revoke or refuse to issue or renew a driver education school or instructor license or deny a driver education program certificate of completion for just cause or for noncompliance with statutory or regulatory requirements.

It provides that a driver's license or nondriver identification card of a person under 21 years of age must bear a distinctive layout or marking rather than a distinctive color code.

It eliminates the sticker designation for a deaf or hard-of-hearing person and replaces it with a distinctive marker or code on the person's driver's license or nondriver identification card.

It clarifies that when any change is made to a driver's license, nondriver identification card, registration certificate or learner's permit that requires that an updated credential be issued, it is considered a duplicate for processing purposes.

It includes vehicles of the Attorney General's office and the Secretary of State's office in the definition of "police vehicle" in the law governing emergency and auxiliary lights.

It removes the requirement that the Secretary of State report annually to the joint standing committee of the Legislature having jurisdiction over transportation matters on the federal Systematic Alien Verification for Entitlements Program.

Committee Amendment "A" (H-588)

This amendment removes the section of the bill dealing with the suspension and revocation of instructors' licenses. This amendment defines "life support transport vehicle," adds those vehicles to the list of authorized emergency vehicles, adds restrictions on their use of emergency lights and sirens and authorizes the Commissioner of Transportation to adopt rules concerning those vehicles. This amendment requires that a person issued temporary registration plates maintain a written record on a form prescribed by the Secretary of State and submit that form upon renewal of a dealer license.

Enacted Law Summary

Public Law 2019, chapter 397 does the following.

It amends the enforcement provision governing dealers, transporters and automobile graveyards to change investigators to motor vehicle detectives to match the current job title.

Joint Standing Committee on Transportation

It replaces the requirement that an applicant for an original motor vehicle registration submit a dealer's certificate with the requirement that the applicant submit a properly completed bill of sale. It replaces the requirement that a municipal official retain from the use taxes collected a fee of \$1.25 for each vehicle with a requirement that the Secretary of State be reimbursed by the State Tax Assessor \$1.25 per use tax certificate processed.

It amends the law allowing the Secretary of State to refuse to issue or to recall a vanity plate having language that encourages violence or may result in an act of violence or other unlawful activity to remove express language stating that it is the Secretary of State who makes the finding regarding the language.

It repeals the requirement that the Commissioner of Inland Fisheries and Wildlife submit a new sportsman registration plate design every six years.

It repeals the trailer transit plate provision from the law regarding temporary registration plates and enacts the language of the provision in the law regarding special dealer licenses and plates. It makes a violation of that provision a traffic infraction and specifies a trailer transit plate expires annually at the end of March.

It removes the 10-year authorization period for recognition license plates.

It reduces the minimum number of registrations required for eligibility for the 25-year permanent registration program for semitrailers from 30,000 to 20,000.

It repeals the moratorium on commemorative veteran decals, which ran from October 1, 2009 to October 1, 2014.

It clarifies that International Registration Plan credentials may be presented in electronic format.

It changes the retention period for information pertaining to a scrapped vehicle from one year to five years to bring it into compliance with the record requirements for salvage vehicle recyclers. It adds an accuracy requirement to allow for a penalty for recyclers who incorrectly record information for scrapped vehicles of model years 1995 to 1999 and makes a violation a traffic infraction.

It amends the Maine Revised Statutes, Title 29-A, section 667, regarding salvage vehicles, to change the reporting requirements due date in the provisions regarding surrender and cancellation of a certificate of title or certificate of salvage from "immediately" to within 30 days. It adds scrap processors to the list of persons to whom an owner must have transferred a vehicle for which a certificate of salvage has not been issued in order for that vehicle to be deemed declared by the owner to be a salvage vehicle. It also allows a salvage dealer, recycler or scrap processor to retain possession of a certificate of salvage until the recycler scraps or dismantles the vehicle and requires that 30 days after the scrapping or dismantling of the vehicle the certificate of title or certificate of salvage must be delivered to the Secretary of State for cancellation. It repeals the current requirement regarding the surrender of the certificate of title or certificate of salvage.

It requires a salvage dealer, recycler or scrap processor to obtain the vehicle seller's name and address from a government-issued photograph identification document or credential.

It requires a licensed mobile crusher to maintain an operator log for each of its locations, which must include the make, model, model year and vehicle identification number of each vehicle crushed and the date of the action.

Joint Standing Committee on Transportation

It adds the requirement for recyclers to use the National Motor Vehicle Title Information System as required by federal law and regulation.

It provides for the issuance of a commercial learner's permit for one year.

It allows the Secretary of State to suspend, revoke or refuse to issue or renew a driver education school or instructor license or deny a driver education program certificate of completion for just cause or for noncompliance with statutory or regulatory requirements.

It provides that a driver's license or nondriver identification card of a person under 21 years of age must bear a distinctive layout or marking rather than a distinctive color code.

It eliminates the sticker designation for a deaf or hard-of-hearing person and replaces it with a distinctive marker or code on the person's driver's license or nondriver identification card.

It clarifies that when any change is made to a driver's license, nondriver identification card, registration certificate or learner's permit that requires that an updated credential be issued, it is considered a duplicate for processing purposes.

It includes vehicles of the Attorney General's office and the Secretary of State's office in the definition of "police vehicle" in the law governing emergency and auxiliary lights.

It removes the requirement that the Secretary of State report annually to the joint standing committee of the Legislature having jurisdiction over transportation matters on the federal Systematic Alien Verification for Entitlements Program.

It defines "life support transport vehicle," adds those vehicles to the list of authorized emergency vehicles, adds restrictions on their use of emergency lights and sirens and authorizes the Commissioner of Transportation to adopt rules concerning those vehicles.

It requires that a person issued temporary registration plates maintain a written record on a form prescribed by the Secretary of State and submit that form upon renewal of a dealer license.

**LD 1827 *Resolve, To Designate a Bridge in Indian Purchase Township the
Detective Benjamin Campbell Bridge***

RESOLVE 86

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DILL J STANLEY S	OTP	

This resolve requires the Department of Transportation to rename Bridge 3666 on Route 11 in T3 Indian Purchase Township, currently known as the West Branch Bridge, the Detective Benjamin Campbell Bridge.

Enacted Law Summary

Resolve 2019, chapter 86 requires the Department of Transportation to rename Bridge 3666 on Route 11 in T3 Indian Purchase Township, currently known as the West Branch Bridge, the Detective Benjamin Campbell Bridge.