

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH LEGISLATURE
FIRST SPECIAL AND SECOND REGULAR SESSIONS



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

JOINT STANDING COMMITTEE ON TRANSPORTATION

November 2020

STAFF:

SAMUEL W. PRAWER, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
<http://legislature.maine.gov/opla/>
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/ofpr/>

MEMBERS:

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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

a vessel powered by fossil fuel to use as part of the new vessel procurement process. The department is directed to perform a feasibility assessment to determine the costs and barriers associated with the use by the Maine State Ferry Service of ferry vessels powered by electricity instead of fossil fuel and to submit a report on its findings and the vessel evaluation process developed by the Maine State Ferry Service to the Joint Standing Committee on Transportation by July 31, 2020.

LD 1899 An Act To Amend Certain Motor Vehicle Laws

PUBLIC 634

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FARRIN B BRYANT M	OTP-AM	S-419

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

1. It clarifies the law with respect to weight requirements for heavy duty recovery vehicles.
2. It allows the Secretary of State to assist law enforcement entities by providing driver's license biometric technology records. The bill prohibits the Secretary of State from allowing an outside entity to use biometric technology to search driver's license records.
3. It repeals the law establishing the Motor Carrier Review Board in order to remove conflicts with the motor carrier review process conducted by the Department of the Secretary of State, Bureau of Motor Vehicles.

Committee Amendment "A" (S-419)

This amendment allows the Secretary of State to provide information, including digital images, produced by searching its records using facial recognition technology to law enforcement agencies only in emergency circumstances involving an immediate threat to the life of a person or pursuant to major substantive rules adopted by the Secretary of State.

Enacted Law Summary

Public Law 2019, chapter 634 makes the following changes to the motor vehicle laws.

1. It clarifies the law with respect to weight requirements for heavy duty recovery vehicles.
2. It allows the Secretary of State to provide information, including digital images, produced by searching its records using facial recognition technology to law enforcement agencies only in emergency circumstances involving an immediate threat to the life of a person or pursuant to major substantive rules adopted by the Secretary of State.
3. It repeals the law establishing the Motor Carrier Review Board in order to remove conflicts with the motor carrier review process conducted by the Department of the Secretary of State, Bureau of Motor Vehicles.

LD 1900 An Act To Amend the Laws Governing Motor Vehicle Child Restraint Systems To Allow Certain Exceptions

PUBLIC 577

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CYRWAY S O'NEIL M	OTP-AM	S-382

Joint Standing Committee on Transportation

This bill amends the laws governing motor vehicle child restraint systems to provide exceptions for children who exceed a manufacturer's recommended height limit and for children who have a medical condition that necessitates a different child restraint system.

Committee Amendment "A" (S-382)

This amendment does the following.

1. It requires that a child restraint system for children two years of age or older and weighing less than 55 pounds must have an internal harness.
2. It clarifies that children less than eight years of age who weigh less than 80 pounds and are less than 57 inches in height must be properly secured in a belt positioning seat or other child restraint system.
3. It clarifies that a child with a medical condition that, in the written opinion of a physician, nurse practitioner, physician assistant or child passenger safety technician with special needs training, necessitates that a different child restraint system be used is required to be secured in a child restraint system recommended in the opinion.

Enacted Law Summary

Public Law 2019, chapter 577 does the following.

1. It requires that a child restraint system for children two years of age or older and weighing less than 55 pounds must have an internal harness.
2. It clarifies that children less than eight years of age who weigh less than 80 pounds and are less than 57 inches in height must be properly secured in a belt positioning seat or other child restraint system.
3. It clarifies that a child with a medical condition that, in the written opinion of a physician, nurse practitioner, physician assistant or child passenger safety technician with special needs training, necessitates that a different child restraint system be used is required to be secured in a child restraint system recommended in the opinion.

LD 1901 An Act To Amend the Laws Prohibiting the Use of Handheld Phones and Devices While Driving

**PUBLIC 579
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DIAMOND B	OTP-AM	S-386

This bill simplifies the definition of "handheld electronic device" in recently enacted law prohibiting the use of handheld electronic devices while driving. It adds parking areas to the places where the use of mobile telephones and handheld electronic devices while driving is prohibited. It changes the penalty provisions to provide a fine of \$50 for the first offense and \$250 for a second or subsequent offense.

Committee Amendment "A" (S-386)

This amendment removes parking areas from the places where using a handheld electronic device while operating a motor vehicle is prohibited and restores the exemption for devices utilizing "push to talk" features from the prohibition on the use of handheld electronic devices.

Enacted Law Summary

Public Law 2019, chapter 579 simplifies the definition of "handheld electronic device" in recently enacted law