

## Joint Standing Committee on Transportation

**LD 222**                      **An Act to Alter the Firefighter License Plate**                      **ONTP**

<u>Sponsor(s)</u> HONEY KILKELLY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 222 proposed to require the Secretary of State to design a firefighter registration plate that featured the Maltese cross in addition to the current "FF." This bill was carried over from the first session. The Secretary of State began offering this plate in the interim.

**LD 265**                      **An Act to Provide for License Plates in Support of Domestic Violence Prevention Programs**                      **ONTP**

<u>Sponsor(s)</u> BAGLEY PENDLETON		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 265 proposed to establish the Domestic Violence Prevention Fund and the domestic violence prevention registration plate, under which \$14 of the registration fee would be dedicated to domestic violence prevention programs.

**LD 311**                      **An Act to Create a Registration Plate for Members of the Maine Snowmobile Association**                      **ONTP**

<u>Sponsor(s)</u> BENNETT		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 311 proposed to authorize the issuance of a special registration plate for members of the Maine Snowmobile Association.

**LD 319**

**An Act to Require Commercial Vehicle Operators Involved in Fatal Motor Vehicle Accidents to Submit to Drug Testing**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CASSIDY WHEELER G	ONTP	

LD 319 proposed to require drug testing of commercial vehicle operators involved in fatal or potentially fatal motor vehicle accidents.

**LD 321**

**An Act to Create a License Plate for Veterans Who Served in Iwo Jima, Normandy or Desert Storm**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HARRIMAN BUCK	ONTP	

LD 321 proposed to create 3 additional special license plates for veterans who served at the battles of Iwo Jima and Normandy in World War II and in Operation Desert Storm in 1991. As with Purple Heart license plates, a one-time fee of \$10 would have been charged to offset additional costs.

**LD 1179**

**An Act to Amend Weight Requirement Inequalities Between Hauling Wood Products and Hauling Other Products**

**DIED BETWEEN BODIES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KASPRZAK	ONTP MAJ OTP-AM MIN	

LD 1179 would have amended the weight tolerance for certain trucks by allowing a maximum load of 64,000 pounds on the tri-axle unit of a 4-axle single-unit vehicle that carries building materials that absorb moisture during delivery originating and terminating within the State, bark, sawdust, firewood, sawed lumber, dimension lumber, pulpwood, wood chips, logs, soil, unconsolidated rock material including limestone, bolts, farm produce, road salt, manufacturer's concrete products, solid waste or incinerator ash, highway construction materials, products requiring refrigeration and raw ore when transported from a mine or quarry to a place of processing. Under current law, the tolerance applies only to the tri-axle unit of a 4-axle single-unit vehicle that carries forest products.

**Committee Amendment "A" (H-911)** replaced the bill. It proposed to increase the axle weights allowed for single-, tandem- and tri-axle units. For vehicles found in excess of the limits set in this amendment, the fines would have been increased.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUDLEY	OTP-AM MAJ	H-788
KONTOS	ONTP MIN	

LD 1337 proposed to amend the Special Fuel Tax Act by including the definitions of "clean fuel vehicle," "clean fuel" and "gasoline gallon equivalent." The bill also would have set the tax for clean fuel at 1/2 of the amount applicable to a gallon of distillate fuel.

**Committee Amendment "A" (H-592)** would have lowered the special fuel tax on low-energy fuels to 14.25¢ per gallon and move the place of payment of the tax to the sale at the pump.

**Committee Amendment "B" (H-788)** proposed to lower the special fuel tax on low-energy fuels so that the tax on a particular fuel is based on the relationship of its BTU value to the BTU value of gasoline. The amendment also proposed to move the place of payment of the tax to the sale at the pump. The bill would take effect on October 1, 2000.

*Enacted law summary*

Public Law 1999, chapter 733 lowers the special fuel tax on low-energy fuels so that the tax on a particular fuel is based on the relationship of its BTU value to the BTU value of gasoline. This law also moves the place of payment of the tax to the sale at the pump. The bill takes effect on October 1, 2000.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LEMONT	OTP-AM	H-863

LD 1576 proposed to amend the motor vehicle laws to change the definitions of "resident" and "owner." The bill also would have repealed the provision that exempted a nonresident from registration and licensing laws of this State if the state that nonresident was from offered a reciprocal exemption.

**Committee Amendment "A" (H-863)** proposed to establish a presumption that a person is a Maine resident if that person has custody of a child enrolled in a Maine public school or declares Maine as that person's state of primary residence on a form, document or application. It also proposed to establish as prima facie evidence, the oral statement of a person stating that Maine is their primary residence.

*Enacted law summary*

Public Law 1999, chapter 611 establishes a presumption that a person is a Maine resident if that person has custody of a child enrolled in a Maine public school or declares Maine as that person's state of primary residence on a form, document or application. The provision also stipulates that an oral statement by a person that Maine is their primary residence is prima facie evidence of primary residence.

**LD 1579**

**An Act to Evaluate the Compensation of Members of the Maine Turnpike Authority**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHEELER G PARADIS	ONTP	

LD 1579 was a concept draft pursuant to Joint Rule 208. It proposed to establish a mechanism to evaluate and change the compensation of members of the Maine Turnpike Authority.

**LD 1633**

**An Act to Create a Transporter License Plate for Light Trailers**

**ONTP**

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

LD 1633 proposed to establish transporter plates and licenses to allow a business to transport an unregistered light trailer. A light trailer was defined as a trailer or semi-trailer with an unladen gross weight of 3,000 pounds or less.

**LD 2149**

**An Act to Amend Motor Vehicle Title Laws**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHEELER G O'GARA	ONTP	

LD 2149 proposed to amend the motor vehicle title laws as follows:

1. It distinguished between a salvage vehicle that may be rebuilt for highway use and a total loss vehicle that is not able to be rebuilt and is suitable for parts only. A total loss vehicle would not be able to be registered or retitled.
2. It combined the various certificates issued by the department under one definition unless the context indicated otherwise.
3. It specified that, once a vehicle was declared a "salvage vehicle," the prior certificate of title would be surrendered prior to issuance of salvage title.
4. It specified that, once a vehicle was declared a "total loss," the prior certificate of title or certificate of salvage was required to be surrendered prior to issuance of a certificate of total loss.
5. It clarified the information that would have been required on a certificate.
6. It allowed the Secretary of State to withdraw an application for a certificate for just cause.

7. It clarified the procedure for obtaining a duplicate title.
8. It clarified that a dealer needed a release of lien on any certificate.
9. It specified that a vehicle that was total loss that was sold or displayed at auction was required to be accompanied by a certificate of total loss.
10. It specified that a total loss vehicle could not be registered or retitled in the State.
11. It clarified what the insurer and the owner had to do with a salvage vehicle.
12. It clarified what a recycler had to do to obtain a certificate of salvage or total loss.
13. It specified the legends that had to appear on certificates issued for salvage vehicles, total losses and rebuilt salvage vehicles.

**Committee Amendment "A" (H-379)** proposed to exempt commercial vehicles with a gross vehicle weight of 26,000 pounds or more from the provisions of the bill that prohibited vehicles from being rebuilt for highway use after sustaining damages equivalent to 80% or more of the fair market value of the vehicle.

**LD 2171**                      **Resolve, to Require the Department of Transportation to Build a Truck Escape Ramp on Route 16 in Bingham**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCGLOCKLIN MILLS	ONTP	

LD 2171 proposed to require the Department of Transportation to construct on Route 16 in Bingham, a truck escape ramp to slow and stop away from the main stream of traffic out of control vehicles that had lost the ability to brake and stop.

**LD 2208**                      **An Act to Remove Restrictions on Changeable Signs**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MACDOUGALL MACKINNON	ONTP	

LD 2208 proposed to repeal the prohibition against on-premise moving signs and remove the restrictions on changeable signs.

**LD 2265**                      **An Act to Allow a Person with a Disability to Ride in Vehicles Being Towed**                      **ONTP**

<u>Sponsor(s)</u> CARR		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 2265 proposed to create an exception to the prohibition of riding in a vehicle that is being towed for those people who are disabled.

**LD 2270**                      **An Act to Amend the Law Regarding Disability License Plates**                      **PUBLIC 544**

<u>Sponsor(s)</u> SANBORN		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 2270 proposed to allow the Secretary of State to issue more than one set of disability registration plates to a qualified applicant.

***Enacted law summary***

Public Law 1999, chapter 544 allows the Secretary of State to issue more than one set of disability license plates or placards to a qualified applicant.

**LD 2303**                      **An Act to Amend Truck Weights**                      **PUBLIC 580**

<u>Sponsor(s)</u> LINDAHL		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-804
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LD 2303 proposed to repeal the requirement for obtaining a permit to operate at 100,000 pounds, in favor of a 100,000-pound registration. This provision would have become effective April 1, 2001, the scheduled date for entry of several Canadian provinces into the International Registration Program.

The bill proposed to allow the Secretary of State to establish, with the cooperation of the Commissioner of Transportation, a method of issuing long-term overweight permits for nondivisible loads.

The bill would have clarified the application of weight fines.

The bill also proposed to allow the 4-axle truck, 2-axle trailer vehicle to register for its allowable gross vehicle weight limit and would have repealed special certifications previously required for this vehicle.

**Committee Amendment "A" (H-804)** proposed to maintain the current fine schedule for violations by vehicles registered for 100,000 pounds.

**Enacted law summary**

Public Law 1999, chapter 580 streamlines the registration process for trucks between 90,000 and 100,000 pounds. It repeals the requirement for trucks to obtain a permit to operate at 100,000 pounds, in favor of a 100,000-pound registration. This provision becomes effective April 1, 2001, the scheduled date for entry of several Canadian provinces into the International Registration Program.

The law permits the Secretary of State to establish, with the cooperation of the Commissioner of Transportation, a method of issuing long-term overweight permits for nondivisible loads.

The law clarifies the application of weight fines and allows the 4-axle truck, 2-axle trailer vehicle to register for its allowable gross vehicle weight limit and repeals special certifications previously required for this vehicle.

The current fine schedule for violations by vehicles registered for 100,000 pounds is retained.

**LD 2312**

**An Act to Amend the Motor Vehicle Laws**

**DIED BETWEEN  
BODIES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'GARA	OTP-AM MAJ ONTP MIN	

LD 2312 proposed to affect the motor vehicle statutes as follows:

1. It authorized a law enforcement officer who has stopped a vehicle for another violation to demand and inspect the operator's record of duty status and medical examiner's certificate if the operator was required to have those documents.
2. It allowed a permit to be issued by a law enforcement agency to tow an unregistered vehicle using a tow dolly. Currently, a permit can be issued to tow by use of a service wrecker or tow bar.
3. It allowed Department of Public Safety vehicles operated by motor carrier inspectors to be equipped with amber auxiliary lights.
4. It required an operator passing a stationary authorized emergency vehicle using an emergency light to yield the right-of-way to that emergency vehicle by changing lanes, if possible, or passing at a careful and prudent speed.
5. It prohibited an operator from following within 150 feet of an authorized emergency vehicle that is using an emergency light.

**Committee Amendment "A" (S-485)** proposed that, while any law enforcement officer has the authority to inspect a driver's record of duty status and medical certificate, only a properly trained officer could take enforcement action. This amendment would have removed section 4 of the bill relating to passing stopped emergency vehicles with flashing lights.

**House Amendment "A" to Committee Amendment "A" (H-814)** would have exempted toll receipts from inspection by law enforcement officers.

**House Amendment "B" to Committee Amendment "A" (H-905)** would have allowed a law enforcement officer to inspect a driver's toll receipts, but would have prohibited the use of those toll receipts in court as evidence against the driver.

**LD 2321                      An Act to Provide Recognition for Korean Conflict Veterans on Special Veterans Registration Plates                      PUBLIC 751 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FISHER LAWRENCE	OTP-AM	H-845

LD 2321 would have provided special motor vehicle registration plates for Korean War veterans.

**Committee Amendment "A" (H-845)** proposed to direct the Secretary of State to design a decal commemorating veterans of the Korean Conflict that may be affixed over the red "V" on special veterans registration plates. These decals would be sold for one year.

The Secretary of State was also directed to convene a task force to examine whether other commemorative decals could be developed and distributed. The amendment proposed that the task force report its findings to the joint standing committee of the Legislature having jurisdiction over transportation matters by January 2, 2001. This amendment was an emergency.

***Enacted law summary***

Public Law 1999, chapter 751 directs the Secretary of State to design a decal commemorating veterans of the Korean Conflict that may be affixed over the red "V" on special veterans registration plates. These decals may be sold for one year.

The Secretary of State is also directed to convene a task force to examine whether other commemorative decals can be developed and distributed. The task force must report its findings to the joint standing committee of the Legislature having jurisdiction over transportation matters by January 2, 2001.

Public Law 1999, chapter 751 was enacted as an emergency measure effective May 5, 2000.

**LD 2322                      An Act to Create a Purple Heart Motorcycle License Plate                      PUBLIC 734**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL	OTP-AM    MAJ OTP-AM    MIN	H-790

LD 2322 proposed to create a Purple Heart motorcycle registration plate.

**Committee Amendment "A" (H-789)**, the majority report of the committee, would have codified the current practice of making a disabled veterans motorcycle license plate available to qualified veterans. It would have required the Secretary of State to redesign the disabled veterans registration plate for use on motorcycles and allow for space to affix a special decal recognizing Purple Heart medal recipients. It also would have required the Secretary of State to review the feasibility of recognizing other special veterans with decals that can be affixed to the disabled veterans motorcycle license plate.

**Committee Amendment "B" (H-790)**, the minority report of the committee, would have exempted the special Purple Heart medal recipient motorcycle license plate from the current sponsorship requirements for specialty license plates and reformatted the original bill. The amendment also would have codified the current practice of making a disabled veterans motorcycle license plate available to qualified veterans.

***Enacted law summary***

Public Law 1999, chapter 734 exempts the special Purple Heart medal recipient motorcycle license plate from the current sponsorship requirements for specialty license plates. The amendment also codifies the current practice of making a disabled veterans motorcycle license plate available to qualified veterans.

**LD 2323**                      **An Act to Clarify the Requirements for Certifying Driving Time Prior to Obtaining a License**                      **PUBLIC 545**

<u>Sponsor(s)</u> WHEELER G		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 2323 would have authorized a stepparent to certify the driving time of a permittee who is under 21 years of age and is applying for an operator's license. The bill also proposed to exempt a person 21 years of age or older from the requirement to submit certification of driving time.

***Enacted law summary***

Public Law 1999, chapter 545 adds a step-parent to the list of allowable family members that can certify the driving time of a permittee who is under 21 years of age and is applying for an operator's license. This law also exempts a person 21 years of age or older from the requirement to submit certification of driving time.

**LD 2332**                      **An Act Concerning Motor Vehicle Registration and Title Fees for Certain Veterans' License Plates**                      **ONTP**

<u>Sponsor(s)</u>		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 2332 proposed to implement one of the recommendations of the Committee to Study Standardized Periods of Military Service and Other Matters Related to the Award of State of Maine Veterans' Benefits.

It would have reduced from \$23 to \$5 the annual registration fee paid by honorably discharged veterans who use the special veterans registration plates in lieu of regular registration plates.

The bill also would have exempted any qualified veteran who obtains the Purple Heart medal recipient plate, the Pearl Harbor survivor plate or the former prisoner of war plate from paying either an annual registration fee or a title fee for the privilege of acquiring and displaying these special plates.

**LD 2338**                      **An Act to Clarify the Crosswalk Law**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POWERS HARRIMAN	ONTP	

LD 2338 would have required an operator of a motor vehicle to yield to a pedestrian anywhere within a marked crosswalk. This bill would have maintained the current law for crosswalks on roads that are fewer than 4 lanes, but required an operator on larger roads to yield only when the pedestrian is in the crosswalk on the same side of the road or so close to the operator's vehicle as to be in danger.

**LD 2370**                      **An Act to Amend Certain Transportation Laws**                      **PUBLIC 753**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PARADIS JABAR	OTP-AM    MAJ ONTP        MIN	S-532

LD 2370 proposed to make the following changes to the laws governing transportation.

1. It provided that the Department of Transportation may grant or otherwise transfer easements over property taken or acquired for transportation purposes when the department in its sole discretion determined that the conveyance of such easements is appropriate and necessary.
2. It provided that the owners of real property proposed to be acquired for federal, state and federally assisted highway projects were not in all cases required to pay rent in the event that they occupy the property beyond the date of acquisition.
3. It proposed to change the requirements for notice of the time and place of a hearing on a petition to condemn land filed with the State Claims Commission by the Department of Transportation. It would have allowed the commission to send notice to the department, landowners and lienholders by first class mail rather than registered mail and allows service by publication if a party can not be reached by mail.
4. It proposed to codify current practice by providing that the formula for distribution of Urban-Rural Initiative Program funds include roads maintained by a municipality that are not town ways.
5. It proposed to clarify that the Department of Transportation does not have responsibility for designating no-passing zones on roads that are not the responsibility of the department.

6. It would have provided that municipalities have responsibility for regulation of utility facilities in the public way in urban compact areas, regardless of whether or not the highway is a federal-aid highway.
7. It proposed to clarify existing law and provide that the State will relieve certain municipalities of financial obligations for major collector state aid highway reconstruction local match requirements.

**Committee Amendment "A" (S-532)**, the majority report, amended the original bill in several ways.

1. It removed the provision that would have allowed the chair of the State Claims Commission to notify by regular mail the owner, mortgage holder, tax lien holder or holder of any other encumbrance on property with a pending claim before the commission.
2. It clarified that the Maine Port Authority's purpose includes financing for port and rail development. Clarification avoids the need for ongoing statutory interpretation.
3. It proposed to increase the overall combination vehicle length limit for truck tractor and tractor or semitrailer combinations hauling trailers or semitrailers that are more than 45 feet but no more than 48 feet long from 65 feet to 69 feet. For truck tractor vehicles containing trailers or semitrailers that are more than 48 feet long but no more than 53 feet long that travel beyond the national network, the overall length limit was proposed to be increased from 70 to 74 feet. The amendment also clarified that all combinations of vehicles are limited to a maximum overall length of 65 feet unless otherwise allowed by law.
4. It proposed to affirm that a municipality may not regulate the operation of vehicles in the public ways if that regulation conflicts with limits imposed by the Department of Transportation pursuant to the Maine Revised Statutes, Title 23. This change addresses the ability of municipalities to restrict commercial vehicle traffic on state or state-aid highways.
5. It addressed where the Department of Transportation has jurisdiction over utility easements, making it clear that it does not regulate easements on federal-aid highways. It updated references for urban compact areas in several places.
6. It specified that in urban compact municipalities without standards for utility installations the Department of Transportation's rules and policies are the default standards.

### ***Enacted law summary***

Public Law 1999, chapter 753 enacts the following provisions:

1. It provides that the Department of Transportation may grant or otherwise transfer easements over property taken or acquired for transportation purposes when the department in its sole discretion determined that the conveyance of such easements is appropriate and necessary.
2. It provides that the owners of real property proposed to be acquired for federal, state and federally assisted highway projects are not in all cases required to pay rent in the event that they occupy the property beyond the date of acquisition.
3. It codifies current practice by providing that the formula for distribution of Urban-Rural Initiative Program funds include roads maintained by a municipality that are not town ways.

5. It clarifies that the Department of Transportation does not have responsibility for designating no-passing zones on roads that are not the responsibility of the department.
6. It stipulates that municipalities have responsibility for regulation of utility facilities in the public way in urban compact areas, regardless of whether or not the highway is a federal-aid highway.
7. It relieves certain municipalities of financial obligations for major collector state aid highway reconstruction local match requirements.
8. It clarifies that the Maine Port Authority's purpose includes financing for port and rail development. Clarification will avoid the need for ongoing statutory interpretation.
9. It increases the overall combination vehicle length limit for truck tractor and tractor or semitrailer combinations hauling trailers or semitrailers that are more than 45 feet but no more than 48 feet long from 65 feet to 69 feet. For truck tractor vehicles containing trailers or semitrailers that are more than 48 feet long but no more than 53 feet long that travel beyond the national network, the overall length limit is increased from 70 to 74 feet. The law also clarifies that all combinations of vehicles are limited to a maximum overall length of 65 feet unless otherwise allowed by law.
10. It affirms that a municipality may not regulate the operation of vehicles in the public ways if that regulation conflicts with limits imposed by the Department of Transportation pursuant to the Maine Revised Statutes, Title 23. This change addresses the ability of municipalities to restrict commercial vehicle traffic on state or state-aid highways.
11. It addresses where the Department of Transportation has jurisdiction over utility easements, making it clear that it does not regulate easements on federal-aid highways. It updates references for urban compact areas in several places.
12. It specifies that in urban compact municipalities without standards for utility installations the Department of Transportation's rules and policies are the default standards.

**LD 2381**

**An Act to Ensure Fuel Deliveries by Allowing Fuel Delivery Vehicles to Travel on Posted Roads**

**PUBLIC 600**

<u>Sponsor(s)</u> HARRIMAN	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-518
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LD 2381 proposed to exempt home heating oil, kerosene and propane delivery vehicles from the requirements of having to obtain permits to traverse posted roads when they are making deliveries. Currently, these vehicles obtain statewide exemption permits from the State for traveling on state roads. However, for local roads, if the municipality has not adopted the Maine Municipal Association model ordinance, the vehicle must apply at each municipality for the exemption to traverse the local roads.

**Committee Amendment "A" (S-518)** proposed to allow a vehicle that has an overlimit exemption permit issued by the Department of Transportation to travel over any county or town way without a specific

municipal or county permit. The amendment also specified that a municipality could not require a permit for a vehicle to operate on restricted roads.

***Enacted law summary***

Public Law 1999, chapter 600 allows a home heating oil, kerosene and propane delivery vehicle that has an overlimit exemption permit issued by the Department of Transportation to travel over any county or town way without a specific municipal or county permit. The law also makes it clear that a municipality may not require a permit for a vehicle to operate on restricted roads.

**LD 2413                      An Act to Maintain Maine's Traditional Town Line Signs                      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RINES KILKELLY	ONTP	

LD 2413 proposed to require that the town line signs erected by the Department of Transportation be the traditional long narrow signs used in the past rather than the newer green metal signs with reflective lettering.

**LD 2438                      An Act to Clarify Repair and Inspection Standards for Punctured Tires                      DIED BETWEEN BODIES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SKOGLUND	OTP      MAJ ONTP      MIN	

LD 2438 proposed to prohibit an inspection facility from failing a tire's safety inspection solely on the grounds that the tire was repaired using a tire plug only. This bill also proposed to prohibit the facility from removing a plugged tire from a rim for inspection purposes unless there is some other indication of an unsafe condition.

This bill also proposed to prohibit the Chief of the State Police from adopting a rule to require a repair to a punctured tire be made by removing the tire from the rim if it is not necessary.

**LD 2450                      An Act to Restrict Passengers in the Vehicle of a Newly Licensed Driver                      PUBLIC 674**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVAGE C	OTP-AM	H-847 H-904 CLARK S-609 O'GARA

LD 2450 proposed to restrict new drivers under 21 years of age from transporting passengers other than family members for the first 90 days of their license unless another person 21 years of age or older is also in the vehicle.

**Committee Amendment "A" (H-847)** proposed to prohibit a newly licensed driver under 21 years of age from carrying passengers that are not immediate family members, unless the driver is operating under the same requirements as the instructional permit. This prohibition would be in effect for 90 days after license issuance. It was proposed that this requirement take effect August 1, 2000.

**House Amendment "A" to Committee Amendment "A" (H-902)** would have provided that a person under 19 years of age who has been issued a driver's license could not carry passengers other than immediate family members unless accompanied by a licensed operator who meets certain requirements for a period of 90 days from license issuance. Committee Amendment "A" would have provided that this restriction applies to a person under 21 years of age.

**House Amendment "B" to Committee Amendment "A" (H-904)** proposed to provide that a person under 18 years of age who has been issued a driver's license could not carry passengers other than immediate family members unless accompanied by a licensed operator who meets certain requirements for a period of 90 days from license issuance.

**House Amendment "C" to Committee Amendment "A" (H-967)** would have permitted a person under 21 years of age who has been issued a driver's license to carry passengers other than immediate family members within the restricted period if each passenger has written permission in the motor vehicle from that passenger's parent or guardian to travel with that driver.

**House Amendment "D" to Committee Amendment "A" (H-973)** would have permitted a person under 18 years of age issued a driver's license to carry passengers other than immediate family members within the restricted period if each passenger has written permission in the motor vehicle from that passenger's parent or guardian to travel with that driver.

**Senate Amendment "A" to Committee Amendment "A" (S-563)** would have changed the restriction period during which passengers may not be carried in a vehicle operated by a person under 21 years of age from 90 days to 30 days following license issuance.

**Senate Amendment "B" to Committee Amendment "A" (S-564)** proposed to include in the definition of "immediate family member" a child, stepchild or other child for whom the person is a legal guardian or custodian to allow those persons to be passengers in vehicles driven by a person under 21 years of age who has been licensed for less than 90 days.

**Senate Amendment "C" to Committee Amendment "A" (S-565)** would have provided that a person under 18 years of age who has been issued a driver's license may not carry passengers other than immediate family members unless accompanied by a licensed operator who meets certain requirements for a period of 90 days from license issuance.

**Senate Amendment "D" to Committee Amendment "A" (S-609)** proposed to include in the definition of "immediate family member" a child or spouse.

***Enacted law summary***

Public Law 1999, chapter 674 restricts the passengers a driver under the age of 18 can carry for the first 90 days of licensure. Only members of the driver's immediate family or those qualified to accompany a driver with an instruction permit are allowed in the vehicle.

**LD 2472**

**An Act to Increase the Penalty for Leaving the Scene of a Motor Vehicle Accident**

**PUBLIC 670**

Sponsor(s)  
BENNETT

Committee Report  
OTP-AM

Amendments Adopted  
S-615

LD 2472 proposed to increase the classification of the crime of leaving the scene of a motor vehicle accident involving death or personal injury to a Class C crime from a Class D crime.

**Committee Amendment "A" (S-615)** proposed to create an aggravated punishment category for leaving the scene of an accident when serious bodily injury or death occurs. Specifically, the amendment proposed to make the crime of leaving an accident a Class C crime if a person intentionally, knowingly or recklessly fails to comply with the current statute that requires stopping at the scene and providing certain information and the accident resulted in serious bodily injury, as defined in the Maine Revised Statutes, Title 17-A, section 2, subsection 23, or death.

***Enacted law summary***

Public Law 1999, chapter 670 creates an aggravated punishment category for leaving the scene of an accident when serious bodily injury or death occurs. Specifically, this law makes the crime of leaving an accident a Class C crime if a person intentionally, knowingly or recklessly fails to comply with the current statute that requires stopping at the scene and providing certain information and the accident resulted in serious bodily injury, as defined in the Maine Revised Statutes, Title 17-A, section 2, subsection 23, or death.

**LD 2489**

**An Act to Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2001**

**P & S 67**

Sponsor(s)

Committee Report  
OTP

Amendments Adopted  
S-491 O'GARA

LD 2489 proposed to make allocations from gross revenues of the Maine Turnpike Authority for the payment of the authority's operating expenses for the calendar year ending December 31, 2001 in accordance with the requirements of the Maine Revised Statutes, Title 23, section 1961, subsection 6.

**Senate Amendment "A" (S-491)** proposed to add a fiscal note to the bill.

***Enacted law summary***

Private and Special Law 1999, chapter 67 makes allocations from gross revenues of the Maine Turnpike Authority for the payment of the authority's operating expenses for the calendar year ending December 31, 2001 in accordance with the requirements of the Maine Revised Statutes, Title 23, section 1961, subsection 6.

**LD 2517                      An Act to Fund the Local and State Share of Minor Collector Road Reconstruction                      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL B	ONTP      MAJ	
WHEELER E	OTP      MIN	

LD 2517 proposed to allow the municipal responsibility for contributing to minor collector capital projects, normally financed from the Rural Road Initiative, to be met by use of General Fund money appropriated for that purpose. The Commissioner of Transportation would have been required to ensure equitable distribution of the funds to those municipalities with a low property tax valuation.

**LD 2521                      An Act to Promote Safe Mobility for Maine's Aging Population through Education and Community-based, Economically Sustainable Alternative Transportation                      INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROWE	OTP-AM      MAJ	
PARADIS	ONTP      MIN	

LD 2521 proposed to create a program within the Department of the Secretary of State to educate the general public, public officials and health and social service personnel about the age-related changes that can impact a person's ability to safely operate a motor vehicle. The bill also would have appropriated funds to the State Planning Office to create a consumer-oriented, community-based, economically sustainable transportation service for seniors who limit or stop driving.

**Committee Amendment "A" (H-933)** proposed to retain the program on age-related changes.

The amendment also proposed to appropriate funds to the Executive Department, State Planning Office to establish the Innovative Senior Transportation Program to develop a consumer-oriented, community-based, economically sustainable transportation service for seniors who limit or stop driving. The amendment also would have required a study of unmet senior transportation needs and directs that a report containing findings and recommendations be submitted to the Legislature by December 15, 2000. The amendment proposed to appropriate funds to provide transportation services for seniors with priority health care service needs.

**House Amendment "A" (H-1001)** proposed to strike the bill and replace it with an appropriation section to provide additional funds for existing senior transportation programs.

**House Amendment "A" to Committee Amendment "A" (H-1008)** proposed to strike all of the amendment except for the appropriation section and replace it with an appropriation section to provide additional funds for existing senior transportation programs.

**LD 2550**

**An Act to Ensure Cost Effective and Safe Highways in the State**

**PUBLIC 676**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'GARA	OTP-AM MAJ	S-622
JABAR	ONTP MIN	

LD 2550 proposed to expand the purpose of the law governing the regulation of entrances to highways and clarify that the Department of Transportation was directed and municipalities were authorized to make rules establishing priorities that ensure avoidance, minimization and mitigation of the negative impacts of access on highway operations consistent with functional classifications. It specified that no permit was needed for existing driveways unless the grade or location or use served by the driveway was changed and directed the department and municipalities to deny access where access rights were purchased. Unless otherwise provided by rules adopted by the department, the bill limited lots of record in existence on July 1, 2000 that have state highway frontage to one driveway, entrance or approach onto the state highway. The fine for violation of the Maine Revised Statutes, Title 23, section 704 was proposed to be increased from \$100 to \$100 per day of violation.

**Committee Amendment "A" (S-622)** replaced the original bill. It proposed to replace the current driveway permit requirements and established a 3-tiered process for permitting new driveways, entrances and approaches on Maine's major highways.

On state highways and state aid highways outside urban areas, the Department of Transportation is authorized under current law to review permits for potential safety problems. This amendment proposed to allow for review of drainage as well. For arterial highways outside urban areas, the department would have reviewed permits for the number, spacing, design and location of driveways with a goal of maintaining posted speed limits and ensuring safe travel. For arterial highways with high accident rates, applicants could have been required to avoid, minimize or mitigate safety issues or reduced speed limits prior to construction of a driveway.

Existing driveways, approaches and entrances, as well as forest management roads, were exempted from these requirements unless their use changed. A grade change or location change of an existing driveway, approach or entrance required a permit also. The department was empowered to deny access rights to property where access rights have been acquired through eminent domain, purchase or other mechanisms.

The amendment proposed that if a permit was denied, a permit applicant could have asked the Commissioner of Transportation to reconsider the application. By rule, the department would have developed procedures for enforcing these requirements, establishing penalties and appeals of enforcement action.

Rules developed by the department to implement these new requirements were proposed to be major substantive rules and would have been reviewed by the joint standing committee of the Legislature having jurisdiction over transportation matters before they became effective.

This amendment also proposed to require the department to work with other agencies and municipalities to assist them in addressing "smart growth" techniques and to develop model ordinances for road construction standards. It also required the department to do more strategic planning on transit issues and to work with other departments to identify funding sources to address sprawl and air quality issues.

***Enacted law summary***

Public Law 1999, chapter 676 replaces the current driveway permit requirements and establishes a 3-tiered process for permitting new driveways, entrances and approaches on Maine's major highways.

On state highways and state aid highways outside urban areas, the Department of Transportation is authorized under current law to review permits for potential safety problems. This law allows for review of drainage as well. For arterial highways outside urban areas, the department will review permits for the number, spacing, design and location of driveways with a goal of maintaining posted speed limits and ensuring safe travel. For arterial highways with high accident rates, applicants may be required to avoid, minimize or mitigate safety issues or reduced speed limits prior to construction of a driveway.

Existing driveways, approaches and entrances, as well as forest management roads, are exempt from these requirements unless their use changes. A grade change or location change of an existing driveway, approach or entrance requires a permit also. The department is empowered to deny access rights to property where access rights have been acquired through eminent domain, purchase or other mechanisms.

If a permit is denied, a permit applicant may ask the Commissioner of Transportation to reconsider the application. By rule, the department will develop procedures for enforcing these requirements, establishing penalties and appeals of enforcement action.

Rules developed by the department to implement these new requirements are major substantive rules and will be reviewed by the joint standing committee of the Legislature having jurisdiction over transportation matters before they become effective.

This law also requires the department to work with other agencies and municipalities to assist them in addressing "smart growth" techniques and to develop model ordinances for road construction standards. It also requires the department to do more strategic planning on transit issues and to work with other departments to identify funding sources to address sprawl and air quality issues.

**LD 2553**

**Resolve, Regarding Legislative Review of Chapter 305: Rules and Regulations Pertaining to Traffic Movement Permits, a Major Substantive Rule of the Department of Transportation**

**RESOLVE 94  
EMERGENCY**

Sponsor(s)

Committee Report  
OTP

Amendments Adopted

LD 2553 provided for legislative review of Chapter 305: Rules and Regulations Pertaining to Traffic Movement Permits, a major substantive rule of the Department of Transportation.

***Enacted law summary***

Resolve 1999, chapter 94 allowed for legislative review and approval of Chapter 305: Rules and Regulations Pertaining to Traffic Movement Permits, a major substantive rule of the Department of Transportation. These rules were approved without change.

Resolve 1999, chapter 94 was finally passed as an emergency measure effective March 29, 2000.

**LD 2601**

**An Act to Implement the Transportation Recommendations of the Task Force Created to Review Smart Growth Patterns of Development**

**ONTP**

<u>Sponsor(s)</u>		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 2601 proposed to implement the recommendations of the Task Force on State Office Building Location, Other State Growth-related Capital Investments and Patterns of Development that relate to transportation policy. The bill would have expanded the purposes of the access management law and clarified that the Department of Transportation is directed and municipalities are authorized to make rules that establish priorities that ensure avoidance, minimization and mitigation of the negative impacts of access on highway operations consistent with functional classifications.

The bill proposed to further clarify that no permit is needed for existing driveways unless grade or location or the use served by the driveway are changed and that the department and municipalities are required to deny access where access rights have been purchased by the department. Until rules become effective, the bill would have limited lots of record in existence on July 1, 2000 and having state highway frontage to one driveway, entrance or approach onto that state highway. The fine for violation of this law was increased from \$100 in total to \$100 per day per violation.

The bill would have required the Department of Transportation to work cooperatively with the State Planning Office and regional councils to provide training, technical assistance and information to municipalities on road planning, road maintenance, sidewalks and neighborhood involvement. The bill also would have required the department to begin a strategic planning process to address challenges such as administrative streamlining of transit funding; marketing and redesign of transit to appeal to a wider range of customers; innovative financing of transit projects; connectivity to airports and rail; and other issues. The department would have been required to present a status report to the Legislature on the strategic planning process. The bill also would have required the department to work with the Department of Human Services and the Department of Environmental Protection to identify funding sources for innovative transit and transportation projects that address sprawl and air quality issues.

The bill proposed to appropriate \$500,000 to the Department of Transportation, Bureau of Transportation Services to return the level of General Fund support for alternative transportation to 1980's levels, adjusted for inflation according to the Consumer Price Index.

**LD 2605**

**An Act to Eliminate the Requirement that a Person Provide a Social Security Number to Obtain or Renew a Driver's License**

**DIED IN CONCURRENCE**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRACY LAWRENCE	OTP-AM MAJ ONTP MIN	

LD 2605 would have removed the requirement that the Secretary of State collect, store and verify a person's social security number upon application or renewal for a noncommercial license or a nondriver identification card number.

**Committee Amendment "A" (H-996)** would have removed the requirement that nondriver identification cards contain social security numbers. The amendment also would have removed the provision that allowed the Secretary of State to suspend or revoke the driver's license of a person without a hearing for failing to provide a valid social security number. The provision was retained for commercial licenses.

**Senate Amendment "A" (S-640)** was a resolve that directed the Department of Human Services to request a waiver from the United States Department of Health and Human Services of the requirement that a social security number be collected from an applicant for a driver's license. This request was required to be submitted by September 1, 2000.

Current federal law requires states to have in place a plan for child support enforcement. As part of the plan, the social security number of an applicant for a driver's license must be collected. Any state that fails to implement a plan for child support enforcement is subject to a loss of federal funding.

**LD 2617**

**Resolve, to Direct the Department of Transportation to Review the Opportunities to Avoid the Need to Widen I-295**

**ONTP**

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

LD 2617 proposed to direct the Maine Department of Transportation to conduct a comprehensive review of issues included in the potential widening of I-295 and to explore opportunities to avoid the need for widening. The department would have been required to submit its report to the joint standing committee of the Legislature having jurisdiction over transportation matters and the committee was authorized to report out legislation based on the recommendations in the report to the First Regular Session of the 120th Legislature.

**LD 2625**

**An Act to Strengthen the Habitual Motor Vehicle Offender Law**

**PUBLIC 641**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAXL M	OTP	

LD 2625 proposed to change the habitual offender law by allowing an habitual offender to seek a work-restricted license only after a period of revocation has been served. Under the Maine Revised Statutes, Title 29-A, section 2554, an habitual offender may petition for relief from habitual offender status one year

after revocation. This bill proposed to only allow a petition for a work-restricted license at least 8 months after revocation.

***Enacted law summary***

Public Law 1999, chapter 641 changes the habitual offender law by allowing an habitual offender to seek a work-restricted license only after a period of revocation has been served. Under the Maine Revised Statutes, Title 29-A, section 2554, an habitual offender may petition for relief from habitual offender status one year after revocation. This law allows a petition for a work-restricted license only after 8 months from revocation.

**LD 2649**

**An Act to Allow Registration of Low-speed Vehicles on Certain Islands**

**PUBLIC 660**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUDLEY	OTP-AM MAJ	H-1010
LIBBY	ONTP MIN	

LD 2649 proposed to create a new registration for motor vehicles called "low-speed vehicles," which are motor vehicles that cannot exceed 25 miles per hour or be operated on a public way with a posted speed limit of more than 35 miles per hour.

**Committee Amendment "A" (H-1010)** replaced portions of the original bill that allowed low-speed vehicles throughout the State. It proposed to allow these vehicles to be operated on the 12 Maine islands that do not have any public ways maintained or supported by the State if the municipality chooses to allow them. The amendment combined this new provision with an existing provision for island vehicles to pay a reduced registration fee.

The amendment also would have required the Secretary of State and the Maine State Police to study the issues raised by low-speed vehicle use in Maine.

***Enacted law summary***

Public Law 1999, chapter 660 creates a new registration for motor vehicles called "low-speed vehicles," which are motor vehicles that can not exceed 25 miles per hour or be operated on a public way with a posted speed limit of more than 35 miles per hour.

It allows these vehicles to be operated on the 12 Maine islands that do not have any public ways maintained or supported by the State if the municipality chooses to allow them. This new provision is combined with an existing provision for island vehicles to pay a reduced registration fee.

The law also requires the Secretary of State and the Maine State Police to study the issues raised by low-speed vehicle use in Maine.

LD 2667

**An Act to Implement Recommendations of the Joint Standing Committee on Transportation Relating to the Review of the Department of the Secretary of State, Bureau of Motor Vehicles under the State Government Evaluation Act**

**PUBLIC 680**

Sponsor(s)

Committee Report

Amendments Adopted

LD 2667 proposed to implement the recommendations made by the Joint Standing Committee on Transportation as a result of the committee's review of the Department of the Secretary of State, Bureau of Motor Vehicles under the State Government Evaluation Act. This bill also would have clarified procedures for electronic processing of vehicle registrations.

***Enacted law summary***

Public Law 1999, chapter 680 implements the recommendations made by the Joint Standing Committee on Transportation as a result of the committee's review of the Department of the Secretary of State, Bureau of Motor Vehicles under the State Government Evaluation Act. This act clarifies procedures for electronic processing of vehicle registrations.

HP 1774

**JOINT ORDER - Relative to Establishing the Committee on Gasoline and Fuel Price**

**PASSED**

Sponsor(s)

GOODWIN

Committee Report

OTP-AM MAJ

ONTP MIN

Amendments Adopted

S-719 PINGREE

Joint Order HP 1774 proposed to establish the Committee on Gasoline and Fuel Prices to gather information on the increases in fuel oil and gasoline prices and to study and gauge the effect and impact of these price increases on the people of the State.

**Senate Amendment "B" (S-719)** proposed to replace the joint order and also proposed to clarify that all appointments must be made within 30 days after passage of the joint study order and that the first meeting must be held no later than June 30, 2000. The amendment also proposed to clarify the duties of the study committee.

***Enacted law summary***

Joint Order HP 1774 was read and passed as amended in both chambers and establishes the Committee on Gasoline and Fuel Prices to gather information on the change in the prices of fuel oil, diesel fuel, propane, kerosene and natural gas, to gather information on the change in gasoline prices and to study and evaluate the effects and impacts of recent price changes on the people of the State. The joint order also charges the study committee with identifying and recommending appropriate actions that the State may take to minimize the effects of price changes or to minimize future price increases that could be detrimental to businesses or the people of the State.

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