

Joint Standing Committee on Transportation

LD 128 **An Act To Create a License Plate for the Elks Organization** **ONTP**

<u>Sponsor(s)</u> MILLER		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 128 proposed to authorize the issuance of a special registration plate for the Benevolent Protective Order of Elks that would fund special programs of that fraternal and civic organization.

LD 371 **An Act To Distribute Revenue in the Law Enforcement Agency Reimbursement Fund to Municipalities and Counties and To Assist Law Enforcement Officers with Unmet Catastrophic Medical Needs** **DIED ON ADJOURNMENT**

<u>Sponsor(s)</u> SAVAGE MARLEY		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-110
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LD 371 proposed to require that any balance in the Law Enforcement Agency Reimbursement Fund remaining at the end of the fiscal year be distributed among municipalities according to a population-based revenue-sharing formula. It proposed to provide that if a municipality does not qualify because it does not employ at least one law enforcement officer or contract with a county to provide patrol service, then the county in which that municipality is located receives the nonqualifying municipality's share of the fund.

Committee Amendment "A" (S-110) proposed to create the Law Enforcement Benevolent Fund to be used to meet the unmet financial needs of injured and ill law enforcement officers and their families. The amendment proposed to require that 10% of any balance in the Law Enforcement Agency Reimbursement Fund at the end of the fiscal year be transferred to the Law Enforcement Benevolent Fund. It also proposed to distribute any funds remaining in the Law Enforcement Agency Reimbursement Fund after funds are transferred to the Law Enforcement Benevolent Fund to municipalities and counties according to a population-based revenue-sharing formula as provided in the original bill.

LD 419 **An Act To Create a License Plate for the National Rifle Association** **ONTP**

<u>Sponsor(s)</u> CEBRA		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 419 proposed to authorize the issuance of a special registration plate for the National Rifle Association that would fund special programs that offer firearm training and safety and hunter training and safety.

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LD 437 **An Act To Create an Agriculture Recognition License Plate** **ONTP**

<u>Sponsor(s)</u> TRAHAN NUTTING J		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 437 proposed to authorize the issuance of an agriculture recognition registration plate to support programs that benefit the Maine Ag in the Classroom Association and other agricultural youth organizations approved by that association.

LD 492 **An Act To Create a Special Higher Education License Plate** **ONTP**

<u>Sponsor(s)</u> RECTOR ROSEN R		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 492 proposed to authorize the issuance of a higher education special registration plate to honor institutions of higher learning in Maine and to fund the Maine State Grant Program.

LD 501 **An Act To Amend the Operator's License and Nondriver Identification Card Requirements** **PUBLIC 469**

<u>Sponsor(s)</u> COLLINS DAMON		<u>Committee Report</u> OTP-AM MAJ OTP-AM MIN		<u>Amendments Adopted</u> H-736
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LD 501 proposed to require an applicant for a driver's license or a nondriver identification card who is a nonimmigrant to provide the Secretary of State written proof, evidence or documentation that the applicant's presence in the United States is authorized under federal law.

LD 501 also proposed that a driver's license or nondriver identification card issued to a nonimmigrant is not valid past the expiration date of the nonimmigrant's permission to remain in the United States.

Committee Amendment "A" (H-736), the committee majority report, replaced the bill and proposed to prohibit the acceptance of expired visas granted by the United States, expired documents issued by foreign countries and foreign passports showing an elapsed departure date as identification for the purpose of issuing state nondriver identification cards and driver's licenses.

Committee Amendment "B" (H-737), the committee minority report, proposed to add an appropriations and allocations section.

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Enacted law summary

Public Law 2005, chapter 469 prohibits the acceptance of expired visas granted by the United States, expired documents issued by foreign countries, and foreign passports showing an elapsed departure date as identification for the purpose of issuing state nondriver identification cards and driver's licenses.

LD 510

An Act Concerning Dismantling of Railroad Track

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RICHARDSON J EDMONDS	ONTP	

LD 510 proposed to amend the law establishing procedures for dismantling railroad track so that it applies to any track, not just state-owned track.

LD 1159

An Act To Promote Municipal-State Transportation Investment Partnerships

PUBLIC 643

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FISHER DAMON	OTP-AM	H-873

LD 1159, a concept draft pursuant to Joint Rule 208, proposed to do the following:

1. It proposed to apply to development projects that generate more than 100 passenger car equivalents at the peak hour that are located in an area designated as a growth management area in a local growth management plan that has been found by the State to be consistent with the growth management program; the compact area of an urban compact municipality; or a downtown as defined in the Maine Revised Statutes, Title 30-A, section 5222, subsection 8.

It proposed to require the Department of Transportation to match each dollar a municipality raises through the assessment of taxes on the real and personal property value created by the project through tax increment financing if the proceeds of that assessment are expended to make transportation improvements that are eligible for Highway Fund participation and will improve the level of service or substandard conditions. No state funds may be used to relieve the developer of financial obligations under a traffic movement permit approved by the Department of Transportation. Fifty percent of the unallocated surplus in the Highway Fund at the end of each fiscal year must be set aside in a non-lapsing account to support this provision, but such account may not exceed \$10,000,000. In addition, if the above circumstances are met, the bill proposed to require the Department of Administrative and Financial Services to match each dollar raised through municipal tax increment financing with the eligible expenditure of those funds being for transportation improvements or related utility and storm water improvements. The department's contribution would be financed and limited by a defined portion of the state tax increment of net new sales and income taxes generated by the development project.

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2. It proposed to provide that for such development projects, the Department of Transportation is authorized to use federal advance construction support with the up-front financing provided through private or municipal capital. The department would be authorized to apply funds required to be expended by the developer as a condition of a traffic movement permit to match federal funds and finance debt to support advance construction as long as the department uses those funds to complete a project that includes the improvements the developer is required to make under the traffic movement permit. The department would also be authorized to apply the proceeds of tax increment financing derived from the development project to match federal funds or support debt to finance the cost of advance construction.
3. It proposed to provide a process for municipalities to build roads without federal or state financial participation that could be purchased by the State or assumed for maintenance responsibilities if the road meets state design standards and criteria for classification as a major collector or arterial highway.
4. It proposed to provide a new structure for assessing traffic impact fees on a regional basis that would be expended to address deficiencies inside growth management areas, urban compacts or downtowns caused in part by through-traffic generated on a regional basis.

Committee Amendment "A" (H-873) proposed to allow municipalities to petition the Department of Transportation to finance proposed arterial and major collector road construction projects. The department would finance up to 50% of the cost of the proposed road construction from the Highway Fund. The road must meet state design standards and function as a major collector or arterial highway as defined in Department of Transportation rules. Participating municipalities shall have a department-approved transportation plan for state and state aid highways and comply with policies and procedures adopted by the department. The municipality may finance improvement projects with contributions of local funds. The amendment proposed to offer alternative financing mechanisms to the Department of Transportation subject to a municipality's voluntary decision to participate.

Enacted law summary

Public Law 2005, chapter 643 allows municipalities to petition the Department of Transportation to finance proposed arterial and major collector road construction projects. The department would finance up to 50% of the cost of the proposed road construction from the Highway Fund. The road must meet state design standards and function as a major collector or arterial highway as defined in Department of Transportation rules. Participating municipalities shall have a department-approved transportation plan for state and state aid highways and comply with policies and procedures adopted by the department. The municipality may finance improvement projects with contributions of local funds. The new law offers alternative financing mechanisms to the Department of Transportation subject to a municipality's voluntary decision to participate.

LD 1396

**An Act To Create a Specialty License Plate for Members of the
Maine National Guard**

ONTP

Sponsor(s)
PLOWMAN

Committee Report
ONTP

Amendments Adopted

LD 1396 proposed to authorize the issuance of a special registration plate for members of the Maine National Guard that would help fund the Maine Military Family Relief Fund. The license plates issued would be for past and present members of Maine National Guard only.

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LD 1430

An Act To Establish Special License Plates To Honor Maine Residents Serving Overseas

ONTP

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

LD 1430 proposed to authorize the issuance of a special registration plate for any service member in Maine who has served on or after September 11, 2001. The proceeds of the sale of these plates would go to a special fund to assist family members of those serving overseas. It also proposed to authorize the issuance of a special registration plate for those supporting our troops, and these funds also would go to a special fund to assist family members of those serving in the war or for similar purposes requiring special funds. The bill also proposed to direct the Secretary of State to copyright the design of these plates and offer the designs to other states for a fee.

LD 1464

An Act To Amend the Laws Relating to Motorized Scooters, Motor-driven Cycles and Mopeds

**PUBLIC 577
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAMPSON SAVAGE	OTP-AM	H-730 H-747 MCKENNEY

LD 1464 proposed to amend the law regarding 2-wheeled and 3-wheeled vehicles and off-road vehicles.

The bill proposed to:

1. Amend the definition of "moped" and "motorized scooter" by including criteria for wheel size and electric-powered motors;
2. Repeal the definition of "motorcycle" and replaces it with a definition that includes criteria for wheels and electric-powered motors;
3. Repeal the definition of "motor-driven cycles";
4. Establish a definition of "off-road vehicle;" off-road vehicles, because of their size, shape, design and configuration, may not be operated on a public way unless operation is authorized by statute;
5. Amend the definition of "scooter" by excluding scooters that are powered by motors;
6. Enact a provision that off-road vehicles may not be registered under the Maine Revised Statutes, Title 29-A;
7. Remove references in Title 29-A to motor-driven cycles;
8. Eliminate the requirement that businesses that sell motor-driven cycles be licensed as motor vehicle dealers;
9. Remove a reference to motorized scooter under vehicles that are regulated as bicycles or toy vehicles;

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10. Establish a provision to treat off-road vehicles operated on ways the same as all-terrain vehicles operated on ways; and
11. Establish a provision to make it a traffic infraction to operate an off-road vehicle on a public way or parking area.

Committee Amendment "B" (H-730) proposed to amend the definitions of "motorcycle" and "moped" to include criteria for wheel size and electric-powered motors. This amendment also proposed to clarify that the definition of a motor vehicle does not include an all-terrain vehicle unless the all-terrain vehicle is issued a special registration permit in accordance with the Maine Revised Statutes, Title 29-A, section 501. The amendment also proposed to clarify that an all-terrain vehicle is not subject to licensing provisions under Title 29-A, chapter 11 unless the all-terrain vehicle is issued a special registration permit in accordance with Title 29-A, section 501.

The amendment also proposed to reflect changes necessitated by laws enacted in the First Special Session of the 122nd Legislature.

House Amendment "A" (H-747) proposed to require the operator of a motorized scooter have a valid license of any class. The amendment also proposed to allow municipalities to prohibit the use of motorized scooters on public ways. The amendment proposed to require motorized scooters to follow the same rules of the road as bicycles. The amendment proposed to maintain the current law that prohibits motorized scooters from being operated at a speed in excess of 20 miles per hour.

Enacted law summary

Public Law, chapter 577 amends current law regarding 2-wheeled and 3-wheeled vehicles and off-road vehicles. The bill:

1. Amends the definition of "moped" and "motorized scooter" by including criteria for wheel size and electric-powered motors;
2. Repeals the definition of "motorcycle" and replaces it with a definition that includes criteria for wheels and electric-powered motors;
3. Repeals the definition of "motor-driven cycles";
4. Establishes a definition of "off-road vehicle." Off-road vehicles, because of their size, shape, design and configuration, may not be operated on a public way unless operation is authorized by statute;
5. Amends the definition of "scooter" by excluding scooters that are powered by motors;
6. Enacts a provision that off-road vehicles may not be registered under the Maine Revised Statutes, Title 29-A;
7. Removes references in Title 29-A to motor-driven cycles;
8. Eliminates the requirement that businesses that sell motor-driven cycles be licensed as motor vehicle dealers;
9. Removes a reference to motorized scooter under vehicles that are regulated as bicycles or toy vehicles;

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10. Establishes a provision to treat off-road vehicles operated on ways the same as all-terrain vehicles operated on ways;
11. Establishes a provision to make it a traffic infraction to operate an off-road vehicle on a public way or parking area;
12. Clarifies that the definition of a motor vehicle does not include an all-terrain vehicle unless the all-terrain vehicle is issued a special registration permit in accordance with the Maine Revised Statutes, Title 29-A, section 501;
13. Clarifies that an all-terrain vehicle is not subject to licensing provisions under Title 29-A, chapter 11 unless the all-terrain vehicle is issued a special registration permit in accordance with Title 29-A, section 501;
14. Requires the operator of a motorized scooter to have a valid license of any class;
15. Allows municipalities to prohibit the use of motorized scooters on public ways; and
16. Requires motorized scooters to follow the same rules of the road as bicycles.

Public Law, chapter 577 was enacted as an emergency measure effective April 13, 2006.

LD 1696

An Act To Clarify the Assessment of Costs To Maintain a Private Way or Bridge

PUBLIC 479

<u>Sponsor(s)</u> DIAMOND BRYANT M	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-450
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LD 1696 proposed to provide that the assessment for the repair or maintenance of a private way or bridge is applied proportionally on the owners according to their assessed valuation for property tax.

Committee Amendment "A" (S-450) proposed to provide that the assessment for the repair or maintenance of a private way or bridge is applied proportionally on the owners according to their assessed valuation for property tax. The amendment proposed to clarify that the assessed valuation for property tax is on each owner's parcel that is benefited by the private way or bridge.

Enacted law summary

Public Law 2005, chapter 479 clarifies that the assessed valuation for property tax is on each owner's parcel that is benefited by the private way or bridge. It also provides that the assessment for repair or maintenance of a private way or bridge is applied proportionally on the owners according to their assessed valuation for property tax.

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LD 1702

An Act To Increase Efficiency in Truck Hauling

**PUBLIC 478
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARR RAYE	OTP-AM	H-749

LD 1702 proposed to increase the length limit of trailers and semitrailers hauling sawdust, shavings or wood chips from 48 feet to 53 feet, as long as the overall length does not exceed 74 feet when combined with the truck. The wheelbase axle distance must remain the same as that of a 48-foot trailer or semitrailer.

Committee Amendment "A" (H-749) proposed to eliminate the 53-foot access system designated by the Commissioner of Transportation, allowing a single semitrailer whose total structural length exceeds 48 feet but does not exceed 53 feet to be operated in combination with a truck tractor on the highway network if safety standards and conditions are met. The amendment also proposed to clarify the Department of Transportation's rule-making authority to limit or prohibit access by semitrailers to certain highways to ensure safety.

Enacted law summary

Public Law 2005, chapter 478 eliminates the 53-foot access system designated by the Commissioner of Transportation, allowing a single semitrailer whose total structural length exceeds 48 feet but does not exceed 53 feet to be operated in combination with a truck tractor on the highway network if safety standards and conditions are met. It also clarifies the Department of Transportation's rule-making authority to limit or prohibit access by semitrailers to certain highways to ensure safety.

Public Law 2005, chapter 478 was enacted as an emergency measure effective March 8, 2006.

LD 1706

An Act To Prohibit Parking in Access Aisles

**PUBLIC 528
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARLEY	OTP-AM MAJ OTP-AM MIN	H-765

LD 1706 proposed to prohibit anyone from parking in an access aisle, which is defined as a space that is clearly marked and immediately adjacent to a parking space designated and clearly marked for persons with physical disabilities.

Current law prohibits persons who do not possess disability registration plates or removable windshield placards from parking in disability parking spaces or access aisles. The law, however, does not prohibit persons with disability plates or placards from parking in access aisles.

Committee Amendment "A" (H-764), the committee majority report, proposed to add a fine of not less than \$100 and not more than \$500 for persons who illegally park in a disability parking space or an access aisle. This amendment also proposed to provide that municipalities and places of public accommodation that are required by law to have disability parking space access aisles shall post a sign adjacent to and visible from each access aisle.

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This amendment also proposed to change the term "handicapped parking space" to "disability parking space."

Committee Amendment "B" (H-765), the committee minority report, proposed to increase the fine to not less than \$200 and not more than \$500 for persons who illegally park in a disability parking space or an access aisle. This amendment also proposed to provide that the registered owner of a vehicle illegally parked in an access aisle commits a traffic infraction and is also subject to a fine. The amendment proposed to provide for defenses for the registered owner of the vehicle found to be illegally parked in an access aisle. Finally, the amendment proposed to change the term "handicapped parking space" to "disability parking space."

Senate Amendment "A" to Committee Amendment "A" (S-473) proposed to add an appropriations and allocations section to Committee Amendment "A".

Enacted law summary

Public Law 2005, chapter 528 prohibits anyone, including persons who have been issued a disability registration plate or removable placard, from parking in an access aisle, which is defined as a space that is clearly marked and immediately adjacent to a parking space designated and clearly marked for persons with physical disabilities. The law also increases the fine for persons who illegally park in a disability parking space or access aisle to not less than \$200 and not more than \$500.

Anyone who observes a vehicle illegally parked in a disability parking space or an access aisle may report the violation to a law enforcement officer. The officer shall initiate an investigation and, if possible, contact the registered owner of the motor vehicle involved and request that the registered owner supply information identifying the operator. The law provides that the registered owner of a vehicle illegally parked in an access aisle commits a traffic infraction and is subject to a fine. However, the law does provide for defenses for the registered owner of the vehicle found to be illegally parked in an access aisle.

Public Law 2005, chapter 528 was enacted as an emergency measure effective April 4, 2006.

LD 1730

An Act To Ensure Business Equity in Commercial Vehicle Registration

PUBLIC 501

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLANCHARD	OTP-AM MAJ	H-782
PERRY J	OTP-AM MIN	

LD 1730 proposed to require the registration in Maine of all construction and road maintenance vehicles being rented in Maine for operation on public ways.

Committee Amendment "A" (H-782), the committee majority report, proposed to replace the bill. Currently, all special mobile equipment used on public ways must be registered in this State. The amendment proposed to clarify that special mobile equipment that is rented from a location in Maine or outside Maine must be registered in Maine, regardless of the location of the main office or headquarters of the owner of the equipment. The amendment also proposed to make a technical correction to the section on special mobile equipment.

Committee Amendment "B" (H-783), the committee minority report, proposed to replace the bill. Currently, all special mobile equipment used on public ways must be registered in this State. The amendment proposed to

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LD 1738

**An Act To Amend the Laws Governing Ferry Service Travel for
Individuals with Catastrophic Illness**

**PUBLIC 472
EMERGENCY**

<u>Sponsor(s)</u> SAVAGE MAZUREK	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u>
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LD 1738 proposed to allow residents of the island communities served by the Maine State Ferry Service free transportation services when traveling to and from regularly scheduled, medically necessary appointments with medical care providers on the mainland if these appointments pertain to a catastrophic illness.

Enacted law summary

Public Law 2005, chapter 472 allows residents of the island communities served by the Maine State Ferry Service free transportation services when traveling to and from regularly scheduled, medically necessary appointments with medical care providers on the mainland if these appointments pertain to a catastrophic illness.

Public Law 2005, chapter 472 was enacted as an emergency measure effective February 21, 2006.

LD 1750

An Act To Amend Certain Transportation Laws

PUBLIC 482

<u>Sponsor(s)</u> DAMON MARLEY	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-458
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LD 1750 proposed to make the following changes to the laws governing transportation.

1. It proposed to allow for an exception to outdoor luminaire requirements if the Commissioner of Transportation determines that the lighting is related to a Department of Transportation project of state and regional significance and is supported by municipalities directly affected by the installation.
2. It proposed to allow for attractions to be included on logo signs on the interstate highway system and allows for logo signs on certain connector highways where it is necessary to establish continuity for logo signs erected on the Maine Turnpike.
3. It proposed to require local administration of municipal ordinances adopted regarding changeable signs.
4. It proposed to add language to and removes requirements from the provisions of the auxiliary light statute to reflect current technology.

Committee Amendment "A" (S-458) proposed to clarify that exceptions to outdoor luminaire requirements are related to Department of Transportation bridge projects of state and regional significance. This amendment also proposed to allow appurtenances to motor homes, truck campers and camp trailers extending up to 6 inches from either side of the body of the unit.

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Enacted law summary

Public Law 2005, chapter 482 makes the following changes to the law governing transportation.

1. It allows for an exception to outdoor luminaire requirements if the Commissioner of Transportation determines that the lighting is related to a Department of Transportation bridge project of state and regional significance and is supported by municipalities directly affected by the installation.
2. It allows for attractions to be included on logo signs on the interstate highway system and allows for logo signs on certain connector highways where it is necessary to establish continuity for logo signs erected on the Maine Turnpike.
3. It requires local administration of municipal ordinances adopted regarding changeable signs.
4. It adds language to and removes requirements from the provisions of the auxiliary light statute to reflect current technology.
5. It allows appurtenances to motor homes, truck campers and camp trailers extending up to 6 inches from either side of the body of the unit.

LD 1765

An Act To Require Insurance Companies To Notify the Secretary of State when a Motor Vehicle Has Been Insured

ONTP

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

LD 1765, beginning January 1, 2007, proposed to require an insurance company that is beginning coverage on a motor vehicle in this State to provide the Secretary of State with notice of that coverage. The bill also proposed to require the Secretary of State to reconcile a notice of cancellation, termination or lapse with a notice of new coverage.

Current law requires an insurance company providing coverage for a vehicle in this State to notify the Secretary of State when that insurance coverage is cancelled or terminated or lapses. Beginning January 1, 2007, an insurance company or an insured is allowed to provide the Secretary of State with evidence of insurance via electronic means, the Internet, facsimile or U.S. mail or in person.

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LD 1773 **An Act To Improve the Process for Issuing Duplicate Motor Vehicle Certificates of Title** **ONTP**

<u>Sponsor(s)</u> BROMLEY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1773 proposed to eliminate the requirement that a duplicate certificate of title or certificate of salvage contain language indicating that the certificate is a duplicate.

LD 1793 **An Act To Prevent Noise and Air Pollution in the Town of Oakland** **ONTP**

<u>Sponsor(s)</u> MITCHELL CANAVAN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1793, a concept draft pursuant to Joint Rule 208, proposed to require Guilford Transportation Industries' trains that run through the Town of Oakland to stop for a change of crew only at the rail yard, where train noise and diesel fumes are anticipated and where the noise, fumes and odor pollution will not harm the public, at times when stops will not disrupt residential neighbors' sleep.

LD 1816 **An Act To Clarify the Intent of the Law That Allows Retired Firefighters To Retain Their Firefighter License Plates** **ONTP**

<u>Sponsor(s)</u> JACKSON		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1816 proposed to amend Public Law 2005, chapter 80, "An Act to Allow Retired Firefighters to Retain Their Firefighter License Plates," to clarify that the law applies to all retired firefighters, regardless of the date of retirement.

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LD 1849

**An Act To Update the Charter of the Lewiston and Auburn
Railroad Company**

P & S 30

<u>Sponsor(s)</u> SAMPSON		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 1849 proposed to update the articles of incorporation of the Lewiston and Auburn Railroad Company.

Enacted law summary

Private and Special Law 2005, chapter 30 updates the articles of incorporation of the Lewiston and Auburn Railroad Company.

LD 1866

An Act To Amend the Motor Vehicle Laws

PUBLIC 573

<u>Sponsor(s)</u> FISHER DIAMOND		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-849
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LD 1866 proposed to do the following:

1. Allow the display of a disabled veteran registration plate on a vehicle registered for up to 9,000 pounds; and
2. Eliminate the Secretary of State's discretion to accept a deposit of cash when a bond is filed.

Committee Amendment "A" (H-849) proposed to add the following provisions to the bill:

1. The amendment proposed to make the for-hire insurance requirements consistent with the provisions of Public Law 2005, chapter 399, which limited transit districts' tort liability to \$400,000.
2. The amendment proposed to allow the Secretary of State to operate customer service locations within approved budgetary limits, rather than limiting the branches that can exist to a specific number. The amendment proposed to enable the Secretary of State to authorize municipal agents to conduct transactions and charge fees on an ongoing basis when that transaction and the associated fee are not already provided in existing law.
3. The amendment proposed to direct the Secretary of State to review the existing statutory vision screening requirements to identify potential changes in law or other opportunities under existing law to increase the number of motorists eligible for online renewal services and to report with recommendations to the joint standing committee of the Legislature having jurisdiction over transportation matters no later than December 31, 2006.
4. The amendment also proposed to direct the Secretary of State to develop a plan for leveling out the currently uneven 6-year driver's license cycle to eliminate the variations in business activity and corresponding Highway Fund revenue.

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House Amendment "A" (H-891) proposed to require an applicant for a driver's license who is a nonimmigrant to provide the Secretary of State written proof, evidence or documentation that the applicant's presence in the United States is authorized under federal law.

Enacted law summary

Public Law 2005, chapter 573 does the following:

1. It allows the display of a disabled veteran registration plate on a vehicle registered for up to 9,000 pounds;
2. It eliminates the Secretary of State's discretion to accept a deposit of cash when a bond is filed;
3. It makes the for-hire insurance requirements consistent with the provisions of Public Law 2005, chapter 399, which limited transit districts' tort liability to \$400,000;
4. It allows the Secretary of State to operate customer service locations within approved budgetary limits, rather than limiting the branches that can exist to a specific number. The law enables the Secretary of State to authorize municipal agents to conduct transactions and charge fees on an ongoing basis when that transaction and the associated fee are not already provided in existing law;
5. It directs the Secretary of State to review the existing statutory vision screening requirements to identify potential changes in law or other opportunities under existing law to increase the number of motorists eligible for online renewal services and to report with recommendations to the joint standing committee of the Legislature having jurisdiction over transportation matters no later than December 31, 2006; and
6. It directs the Secretary of State to develop a plan for leveling out the currently uneven 6-year driver's license cycle to eliminate the variations in business activity and corresponding Highway Fund revenue.

LD 1869

**An Act To Allow Businesses To Place a Sign at the Topsham Mall
Exit on Interstate 295**

ONTP

Sponsor(s)
CROSBY

Committee Report
ONTP

Amendments Adopted

LD 1869 proposed to allow businesses to pay the cost to put a sign at the Topsham exits on Interstate 295.

Joint Standing Committee on Transportation

LD 1950

An Act To Authorize State Participation in the Unified Carrier Registration System

PUBLIC 649

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ASH	OTP-AM MAJ ONTP MIN	H-770

LD 1950 proposed to require a company with a main office or headquarters in the State to request from an independent contractor verification of a valid driver's license and a safe driving record before the company hires the independent contractor to transport the company's merchandise on the State's highways.

Committee Amendment "A" (H-770) proposed to replace the bill. The amendment proposed to authorize the State's participation in the Unified Carrier Registration System, which is a federal program to consolidate motor carrier information systems. The amendment also proposed to add an appropriations section.

Enacted law summary

Public Law 2005, chapter 649 authorizes the State's participation in the Unified Carrier Registration System, which is a federal program to consolidate motor carrier information systems.

LD 1966

An Act To Make Allocations from the Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2007

P & S 37

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

LD 1966 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, 2007 in accordance with the requirements of the Maine Revised Statutes, Title 23, section 1961, subsection 6.

Enacted law summary

Private and Special Law 2005, chapter 37 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, 2007 in accordance with the requirements of the Maine Revised Statutes, Title 23, section 1961, subsection 6.

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LD 1974

An Act To Make Additional Allocations from the Highway Fund and Other Funds for the Expenditures of State Government and To Change Certain Provisions of State Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2006 and June 30, 2007

**PUBLIC 664
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARLEY	OTP-AM MAJ OTP-AM MIN	H-1037 H-1053 DUPREY H-1054 MILLETT

LD 1974 proposed to do the following:

Part A proposed to make supplemental allocations for fiscal years 2005-06 and 2006-07.

Part B proposed to add the Maine State Law Enforcement Association to the bargaining units authorized to access funding in the Highway Fund Salary Plan account to implement economic terms of collective bargaining agreements for fiscal years ending June 30, 2006 and June 30, 2007.

Part C proposed to limit the state support to the Marine Highway account to 50% of the budgeted revenues that support the operating cost of the Maine State Ferry Service.

Part D proposed to transfer amounts exceeding \$1,000,000 from the unallocated balance in the Highway Fund after the deduction of all allocations, financial commitments, other designated funds or any other transfer authorized by statute to the Department of Transportation for capital needs in the Highway and Bridge Improvement and Maintenance and Operations programs.

Part E proposed to transfer identified Highway Fund Personal Services savings to any other program or line category within the Highway Fund to fund capital program needs.

Part F proposed to authorize available Personal Services balances in the Highway Fund accounts to be transferred between programs and departments within the fund by financial order to be used for collective bargaining agreement costs.

Part G proposed to lapse \$2,222 of the unencumbered balance in fiscal year 2004-05 in the Bond Retirement - Highway Fund account in the Department of Transportation to the unallocated surplus in the Highway Fund in fiscal year 2005-06.

Committee Amendment "A" (H-1036), the committee majority report, proposed to do the following:

Part A proposed to make supplemental allocations for fiscal years 2005-06 and 2006-07.

Part B proposed to make allocations for approved reclassifications and range changes.

Part C proposed to limit the state support to the Marine Highway account to 50% of the budgeted revenues that support the operating cost of the Maine State Ferry Service.

Joint Standing Committee on Transportation

Part D proposed to transfer amounts exceeding \$1,000,000 from the unallocated balance in the Highway Fund after the deduction of all allocations, financial commitments, other designated funds or any other transfer authorized by statute to the Department of Transportation for capital needs in the Highway and Bridge Improvement and Maintenance and Operations programs.

Part E proposed to transfer identified Highway Fund Personal Services savings to any other program or line category within the Highway Fund to fund capital program needs.

Part F proposed to authorize available Personal Services balances in the Highway Fund accounts to be transferred between programs and departments within the fund by financial order to be used for collective bargaining agreement costs.

Part G proposed to lapse \$2,222 of the unencumbered balance in fiscal year 2004-05 in the Bond Retirement - Highway Fund account in the Department of Transportation to the unallocated surplus in the Highway Fund in fiscal year 2005-06.

Part H proposed to authorize the State Budget Officer to calculate the amount of savings from a statewide deallocation that applies against each Highway Fund account for all departments and agencies from additional savings in the cost of health insurance and shall transfer the amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to allocations in fiscal year 2006-07.

Part I proposed to lapse \$10,944,305 of unencumbered balance in the Personal Services line category from fiscal year 2004-05 in the Maintenance and Operations account in the Department of Transportation to the unallocated surplus of the Highway Fund in fiscal year 2005-06.

Part J proposed to amend Public Law 2005, chapter 405, Part I, section 1 by authorizing the Administration - Motor Vehicle Program, Bureau of Motor Vehicles within the Department of the Secretary of State to carry forward any unexpended balance that is less than \$1,100,000 from fiscal year 2005-06 to fiscal year 2006-07 for the continued development of the bureau's computer system and to improve the efficiency and effectiveness of the bureau's processes and programs.

Part K proposed to add the Maine State Law Enforcement Association to the bargaining units authorized to access funding in the Highway Fund Salary Plan account to implement economic terms of collective bargaining agreements for fiscal years ending June 30, 2006 and June 30, 2007.

Part L proposed to expand to a new location in Van Buren the existing pilot project allowing commercial vehicles at Canadian weight limits to travel to specified locations in the State.

Part M proposed to allow the State or its political subdivisions to assign to another person the right to receive refunds for special fuel taxes.

Part N proposed to provide the joint standing committee of the Legislature having jurisdiction over transportation matters information to support the Department of Transportation Service Center request in the department's All Other line in the biennial Highway Fund Current Services Budget and to also provide an annual accounting of the actual charges made.

Part O proposed to authorize a 6-month grace period for newly employed ambulance operators to obtain required training for certification purposes.

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Part P proposed to authorize the Maine Municipal Bond Bank to issue \$60,000,000 in federally authorized grant anticipation revenue vehicle debt financing, or GARVEE, revenue bonds to be repaid with federal transportation funds, the proceeds of which will be used by the Department of Transportation to improve existing highways and bridges statewide.

The revenue bonds authorized in Part P may be issued only if approved by the voters by referendum in November 2006.

Part Q proposed to eliminate one Department of Transportation Crew FTE position and realigns 14 other electrical, carpenter and driver trainer Department of Transportation Crew FTE positions between Fleet Services, an Internal Service fund and Maintenance and Operations, a Highway Fund program, in order to allow proper implementation of a new Fleet Management computer system scheduled for July 1, 2006. Given the maintenance and operational nature of the work of these employees, their cost is more properly associated with Maintenance and Operations. The current budget location of these positions distorted the financial management and reporting of Fleet Services.

Committee Amendment "B" (H-1037), the committee minority report, proposed to do the following:

Part A proposed to make supplemental allocations for fiscal years 2005-06 and 2006-07.

Part B proposed to make allocations for approved reclassifications and range changes.

Part C proposed to limit the state support to the Marine Highway account to 50% of the budgeted revenues that support the operating cost of the Maine State Ferry Service.

Part D proposed to transfer amounts exceeding \$1,000,000 from the unallocated balance in the Highway Fund after the deduction of all allocations, financial commitments, other designated funds or any other transfer authorized by statute to the Department of Transportation for capital needs in the Highway and Bridge Improvement and Maintenance and Operations programs.

Part E proposed to transfer identified Highway Fund Personal Services savings to any other program or line category within the Highway Fund to fund capital program needs.

Part F proposed to authorize available Personal Services balances in the Highway Fund accounts to be transferred between programs and departments within the fund by financial order to be used for collective bargaining agreement costs.

Part G proposed to lapse \$2,222 of the unencumbered balance in fiscal year 2004-05 in the Bond Retirement - Highway Fund account in the Department of Transportation to the unallocated surplus in the Highway Fund in fiscal year 2005-06.

Part H proposed to authorize the State Budget Officer to calculate the amount of savings from a statewide deallocation that applies against each Highway Fund account for all departments and agencies from additional savings in the cost of health insurance and shall transfer the amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to allocations in fiscal year 2006-07.

Part I proposed to lapse \$10,944,305 of unencumbered balance in the Personal Services line category from fiscal year 2004-05 in the Maintenance and Operations account in the Department of Transportation to the unallocated surplus of the Highway Fund in fiscal year 2005-06.

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Part J proposed to amend Public Law 2005, chapter 405, Part I, section 1 by authorizing the Administration - Motor Vehicle Program, Bureau of Motor Vehicles within the Department of the Secretary of State to carry forward any unexpended balance that is less than \$1,100,000 from fiscal year 2005-06 to fiscal year 2006-07 for the continued development of the bureau's computer system and to improve the efficiency and effectiveness of the bureau's processes and programs.

Part K proposed to add the Maine State Law Enforcement Association to the bargaining units authorized to access funding in the Highway Fund Salary Plan account to implement economic terms of collective bargaining agreements for fiscal years ending June 30, 2006 and June 30, 2007.

Part L proposed to expand to a new location in Van Buren the existing pilot project allowing commercial vehicles at Canadian weight limits to travel to specified locations in the State.

Part M proposed to allow the State or its political subdivisions to assign to another person the right to receive refunds for special fuel taxes.

Part N proposed to provide the joint standing committee of the Legislature having jurisdiction over transportation matters information to support the Department of Transportation Service Center request in the department's All Other line in the biennial Highway Fund Current Services Budget and to also provide an annual accounting of the actual charges made.

Part O proposed to authorize a 6-month grace period for newly employed ambulance operators to obtain required training for certification purposes.

Part P proposed to eliminate one Department of Transportation Crew FTE position and realigns 14 other electrical, carpenter and driver trainer Department of Transportation Crew FTE positions between Fleet Services, an Internal Service fund and Maintenance and Operations, a Highway Fund program, in order to allow proper implementation of a new Fleet Management computer system scheduled for July 1, 2006. Given the maintenance and operational nature of the work of these employees, their cost is more properly associated with Maintenance and Operations. The current budget location of these positions distorted the financial management and reporting of Fleet Services.

House Amendment "A" to Committee Amendment "A" (H-1047) proposed to remove the requirement that the GARVEE revenue bonds be sent out to referendum.

House Amendment "A" to Committee Amendment "B" (H-1053) proposed to authorize the Secretary of State, within existing budgeted resources, to issue specially designed motorcycle plates for members of the Legislature.

House Amendment "B" to Committee Amendment "A" (H-1048) proposed to enact into the Maine Revised Statutes a provision that requires that 60% of state funding for the Department of Public Safety, Bureau of State Police originate from the Highway Fund and 40% originate from the General Fund beginning in fiscal year 2007-08.

House Amendment "B" to Committee Amendment "B" (H-1054) proposed to enact into the Maine Revised Statutes a provision that requires that 60% of state funding for the Department of Public Safety, Bureau of State Police originate from the Highway Fund and 40% originate from the General Fund beginning in fiscal year 2007-08.

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House Amendment "C" to Committee Amendment "B" (H-1086) proposed to incorporate the substance of Senate Amendment "B" to Committee Amendment "B," and, in addition, it clarifies that the GARVEE bonds that it authorizes are in addition to any GARVEE bonds previously authorized and issued.

House Amendment "D" to Committee Amendment "B" (H-1104) proposed to direct the State Controller to transfer up to \$60,000,000 from the available unappropriated surplus of the General Fund at the close of fiscal year 2005-06 to the Department of Transportation, Highway and Bridge Improvement Highway Fund account. The amendment states the intent of the transfer is to provide additional resources on a one-time basis to address the Highway Fund shortfall. The amendment further proposed to provide that the amount transferred may be allotted by financial order upon the recommendation of the State Budget Officer and is to be considered an adjustment to allocations in fiscal year 2006-07.

Senate Amendment "A" to Committee Amendment "A" (S-621) proposed to allow the Secretary of State to issue sportsman registration plates using either numbers or letters or any combination of the 2.

Senate Amendment "A" to Committee Amendment "B" (S-635) proposed to make changes to ensure compliance with the federal Commercial Motor Vehicle Safety Act of 1986 to preserve approximately \$4,500,000 of federal highway funds. Specifically, this amendment proposed to make state law consistent with applicable federal regulations granting waivers from the commercial driver licensing requirements for persons operating fire apparatus, military vehicles and farm trucks. The amendment further proposed to authorize the Department of Public Safety, Bureau of State Police to adopt by reference the federal regulations establishing minimum fines for out-of-service violations.

Senate Amendment "B" to Committee Amendment "A" (S-634) proposed to make changes to ensure compliance with the federal Commercial Motor Vehicle Safety Act of 1986 to preserve approximately \$4,500,000 of federal highway funds. Specifically, this amendment proposed to make state law consistent with applicable federal regulations granting waivers from the commercial driver licensing requirements for persons operating fire apparatus, military vehicles and farm trucks. The amendment further proposed to authorize the Department of Public Safety, Bureau of State Police to adopt by reference the federal regulations establishing minimum fines for out-of-service violations.

Senate Amendment "B" to Committee Amendment "B" (S-641) proposed to suspend for one year the imposition of the indexed motor fuel tax rate and leaves in place until July 1, 2007 the rate that took effect July 1, 2005.

This amendment proposed to authorize the Maine Municipal Bond Bank to issue \$60,000,000 in federally authorized grant anticipation revenue vehicle debt financing, or GARVEE, revenue bonds to be repaid with federal transportation funds, the proceeds of which will be used by the Department of Transportation to improve existing highways and bridges statewide.

Senate Amendment "C" to Committee Amendment "A" (S-645) proposed to suspend for one year the imposition of the indexed motor fuel tax rate and leaves in place until July 1, 2007 the rate that took effect July 1, 2005.

Senate Amendment "C" to Committee Amendment "B" (S-646) proposed to strike the emergency preamble and emergency clause and makes necessary adjustments to reflect an assumed effective date of August 1, 2006.

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Senate Amendment "D" to Committee Amendment "A" (S-648) proposed to repeal the annual inflation indexing of the excise tax on motor fuel effective July 1, 2007. The amendment also proposed to require the State Tax Assessor to submit legislation to amend the relevant law to reflect the rate of tax as changed by inflation indexing as of July 1, 2007.

Senate Amendment "D" to Committee Amendment "B" (S-650) proposed to deallocate \$7,829,074 from the Highway and Bridge Improvement program within the Department of Transportation from the Highway Fund in fiscal year 2006-07.

Senate Amendment "E" to Committee Amendment "A" (S-649) proposed to deallocate \$7,829,074 from the Highway and Bridge Improvement program within the Department of Transportation from the Highway Fund in fiscal year 2006-07.

Senate Amendment "E" to Committee Amendment "B" (S-652) proposed to repeal the annual inflation indexing of the excise tax on motor fuel effective July 1, 2007. The amendment also proposed to require the State Tax Assessor to submit legislation to amend the relevant law to reflect the rate of tax as changed by inflation indexing as of July 1, 2007.

Senate Amendment "F" to Committee Amendment "B" (S-657) proposed to allow the Secretary of State to issue sportsman registration plates using either numbers or letters or any combination of the 2.

Senate Amendment "G" to Committee Amendment "B" (S-658) proposed to direct the State Controller to transfer up to \$30,000,000 from the available unappropriated surplus of the General Fund at the close of fiscal year 2005-06 to the Department of Transportation, Highway and Bridge Improvement Highway Fund account. The amendment proposed to state the intent of the transfer is to provide additional resources on a one-time basis to address the Highway Fund shortfall. The amendment further proposed to provide that the amount transferred may be allotted by financial order upon the recommendation of the State Budget Officer and is to be considered an adjustment to allocations in fiscal year 2006-07.

This amendment also proposed to authorize, subject to approval of the voters in a statewide referendum, the Maine Municipal Bond Bank to issue \$30,000,000 in federally authorized grant anticipation revenue vehicle debt financing, or GARVEE, revenue bonds to be repaid with federal transportation funds, the proceeds of which will be used by the Department of Transportation to improve existing highways and bridges statewide.

Senate Amendment "H" to Committee Amendment "B" (S-659) proposed to direct the State Controller to transfer up to \$15,000,000 from the available unappropriated surplus of the General Fund at the close of fiscal year 2005-06 to the Department of Transportation, Highway and Bridge Improvement Highway Fund account. The amendment proposed to state the intent of the transfer is to provide additional resources on a one-time basis to address the Highway Fund shortfall. The amendment further proposed to provide that the amount transferred may be allotted by financial order upon the recommendation of the State Budget Officer and is to be considered an adjustment to allocations in fiscal year 2006-07.

This amendment also proposed to authorize, subject to approval of the voters in a statewide referendum, the Maine Municipal Bond Bank to issue \$45,000,000 in federally authorized grant anticipation revenue vehicle debt financing, or GARVEE, revenue bonds to be repaid with federal transportation funds, the proceeds of which will be used by the Department of Transportation to improve existing highways and bridges statewide.

Senate Amendment "I" to Committee Amendment "B" (S-661) proposed to direct the State Controller to transfer up to \$60,000,000 from the available unappropriated surplus of the General Fund at the close of fiscal

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year 2005-06 to the Department of Transportation, Highway and Bridge Improvement Highway Fund account. The amendment proposed to state the intent of the transfer is to provide additional resources on a one-time basis to address the Highway Fund shortfall. The amendment further proposed to provide that the amount transferred may be allotted by financial order upon the recommendation of the State Budget Officer and is to be considered an adjustment to allocations in fiscal year 2006-07.

Enacted law summary

Public Law 2005, chapter 664 does the following:

Part A makes supplemental allocations for fiscal years 2005-06 and 2006-07.

Part B makes allocations for approved reclassifications and range changes.

Part C limits the state support to the Marine Highway account to 50% of the budgeted revenues that support the operating cost of the Maine State Ferry Service.

Part D transfers amounts exceeding \$1,000,000 from the unallocated balance in the Highway Fund after the deduction of all allocations, financial commitments, other designated funds or any other transfer authorized by statute to the Department of Transportation for capital needs in the Highway and Bridge Improvement and Maintenance and Operations programs.

Part E transfers identified Highway Fund Personal Services savings to any other program or line category within the Highway Fund to fund capital program needs.

Part F authorizes available Personal Services balances in the Highway Fund accounts to be transferred between programs and departments within the fund by financial order to be used for collective bargaining agreement costs.

Part G lapses \$2,222 of the unencumbered balance in fiscal year 2004-05 in the Bond Retirement - Highway Fund account in the Department of Transportation to the unallocated surplus in the Highway Fund in fiscal year 2005-06.

Part H authorizes the State Budget Officer to calculate the amount of savings from a statewide deallocation that applies against each Highway Fund account for all departments and agencies from additional savings in the cost of health insurance and shall transfer the amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to allocations in fiscal year 2006-07.

Part I lapses \$10,944,305 of unencumbered balance in the Personal Services line category from fiscal year 2004-05 in the Maintenance and Operations account in the Department of Transportation to the unallocated surplus of the Highway Fund in fiscal year 2005-06.

Part J amends Public Law 2005, chapter 405, Part I, section 1 by authorizing the Administration - Motor Vehicle Program, Bureau of Motor Vehicles within the Department of the Secretary of State to carry forward any unexpended balance that is less than \$1,100,000 from fiscal year 2005-06 to fiscal year 2006-07 for the continued development of the bureau's computer system and to improve the efficiency and effectiveness of the bureau's processes and programs.

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Part K adds the Maine State Law Enforcement Association to the bargaining units authorized to access funding in the Highway Fund Salary Plan account to implement economic terms of collective bargaining agreements for fiscal years ending June 30, 2006 and June 30, 2007.

Part L expands to a new location in Van Buren the existing pilot project allowing commercial vehicles at Canadian weight limits to travel to specified locations in the State.

Part M allows the State or its political subdivisions to assign to another person the right to receive refunds for special fuel taxes.

Part N provides the joint standing committee of the Legislature having jurisdiction over transportation matters information to support the Department of Transportation Service Center request in the department's All Other line in the biennial Highway Fund Current Services Budget and to also provide an annual accounting of the actual charges made.

Part O authorizes a 6-month grace period for newly employed ambulance operators to obtain required training for certification purposes.

Part P eliminates one Department of Transportation Crew FTE position and realigns 14 other electrical, carpenter and driver trainer Department of Transportation Crew FTE positions between Fleet Services, an Internal Service fund and Maintenance and Operations, a Highway Fund program, in order to allow proper implementation of a new Fleet Management computer system scheduled for July 1, 2006. Given the maintenance and operational nature of the work of these employees, their cost is more properly associated with Maintenance and Operations. The current budget location of these positions distorted the financial management and reporting of Fleet Services.

The bill also authorizes the Secretary of State, within existing budgeted resources, to issue specially designed motorcycle plates for members of the Legislature.

The bill also enacts into the Maine Revised Statutes a provision that requires that 60% of state funding for the Department of Public Safety, Bureau of State Police originate from the Highway Fund and 40% originate from the General Fund beginning in fiscal year 2007-08.

Public Law 2005, chapter 664 was enacted as an emergency measure effective May 30, 2006.

LD 1986

Resolve, To Name the New Bridge over the Penobscot River

RESOLVE 151

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROSEN R LINDELL	OTP-AM	S-503

LD 1986 proposed to name the new bridge that crosses the Penobscot River between the towns of Prospect and Verona Island the "Downeast Gateway Bridge" and the westerly tower at the entrance to the bridge in Prospect the "Penobscot Observatory Tower" and proposed to direct the Department of Transportation to erect signs that indicate this name.

Committee Amendment "A" (S-503) proposed to name the new bridge that crosses the Penobscot River between the towns of Prospect and Verona Island and the westerly tower at the entrance to the bridge in Prospect

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the "Penobscot Narrows Bridge and Observatory Tower" and proposed to direct the Department of Transportation to erect signs that indicate this name.

Enacted law summary

Resolve 2005, chapter 151 names the new bridge that crosses the Penobscot River between the towns of Prospect and Verona Island and the westerly tower at the entrance to the bridge in Prospect the "Penobscot Narrows Bridge and Observatory Tower" and directs the Department of Transportation to erect signs that indicate this name.

LD 1998 **An Act To Grandfather Owners of Property with Respect To Highway Cuts** **ONTP**

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

LD 1998 proposed to exempt land that was owned by a person prior to July 30, 2004 from the law that requires the Department of Transportation to limit the number, spacing, design, location and construction of driveways, entrances or approaches.

LD 2040 **Resolve, Directing the Department of Transportation To Review Its Highway Traffic Noise Policy** **RESOLVE 216**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GLYNN BROMLEY	OTP-AM	H-857

LD 2040 proposed to direct the Department of Transportation to amend the policy to expand eligibility to affected properties that do not immediately abut the highway project but that, as a result of the highway project, approach or exceed the relevant noise abatement criteria. Under the existing statewide noise policy adopted by the Department of Transportation, a property must abut a highway project in order to be eligible for a noise abatement program.

In addition, the existing statewide noise policy imposes an abatement cost limit of \$20,000 per affected property. This resolve proposed to require that the cost limit be adjusted by a factor that represents the annual inflation adjustment for each year since the statewide noise policy was adopted and directs that the amount thereafter be adjusted annually for inflation.

Committee Amendment "A" (H-857) proposed to direct the Department of Transportation to undertake a comprehensive review of the department's current highway traffic noise policy. Under the existing statewide highway traffic noise policy adopted by the Department of Transportation, a property must abut a highway project in order to be eligible for a noise abatement program.

The amendment also proposed to provide that if the department adopts a revised highway traffic noise policy, the scheduled improvement of Interstate 295 in South Portland and Portland is subject to the revised policy.

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Enacted law summary

Resolve 2005, chapter 216 directs the Department of Transportation to undertake a comprehensive review of the department's current highway traffic noise policy. Under the existing statewide highway traffic noise policy adopted by the Department of Transportation, a property must abut a highway project in order to be eligible for a noise abatement program.

The law also provides that, if the department adopts a revised highway traffic noise policy, the scheduled improvement of Interstate 295 in South Portland and Portland is subject to the revised policy.

LD 2051 **Resolve, To Name the New Bridge in Augusta Spanning the Kennebec River "Cushnoc Crossing"** **RESOLVE 163**

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

LD 2051 proposed to name the new bridge in Augusta that connects Interstate 95 to Route 3 and crosses the Kennebec River north of the Father Curran Bridge "Cushnoc Crossing" and proposed to direct the Department of Transportation to erect signs that indicate the name of the new bridge.

Enacted law summary

Resolve 2005, chapter 163 names the new bridge in Augusta that connects Interstate 95 to Route 3 and crosses the Kennebec River north of the Father Curran Bridge "Cushnoc Crossing" and directs the Department of Transportation to erect signs that indicate the name of the new bridge.

LD 2058 **Resolve, Authorizing a Pilot Project To Allow Timber Harvesting Equipment To Be Moved during Nighttime** **RESOLVE 189**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON MARTIN	OTP-AM	H-942

LD 2058 proposed to exempt vehicles used in Aroostook County or Penobscot County for the trucking of equipment used in timber harvesting operations during nighttime from restrictions placed on roads concerning weight, speed, operation and equipment.

Committee Amendment "A" (H-942) proposed to replace the bill with a resolve and proposed to direct the Secretary of State, in consultation with the Commissioner of Transportation and the Chief of the State Police, to conduct a pilot project that allows permits for the transport of timber harvesting equipment by another vehicle between midnight and sunrise during the months of March and April over a way or bridge maintained by the Department of Transportation if certain conditions are met. The amendment also proposed to require the Secretary of State to submit a report to the joint standing committee of the Legislature having jurisdiction over

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transportation matters no later than the first business day in February 2009. The amendment proposed to give the joint standing committee of the Legislature having jurisdiction over transportation matters authority to report out legislation during the First Regular Session of the 124th Legislature. The amendment also proposed to repeal the pilot project 90 days after the adjournment of the First Regular Session of the 124th Legislature.

Enacted law summary

Resolve 2005, chapter 189 directs the Secretary of State, in consultation with the Commissioner of Transportation and the Chief of the State Police, to conduct a pilot project that allows permits for the transport of timber harvesting equipment by another vehicle between midnight and sunrise during the months of March and April over a way or bridge maintained by the Department of Transportation if certain conditions are met. The resolve also requires the Secretary of State to submit a report to the joint standing committee of the Legislature having jurisdiction over transportation matters no later than the first business day in February 2009. The resolve gives the joint standing committee of the Legislature having jurisdiction over transportation matters authority to report out legislation during the First Regular Session of the 124th Legislature. It repeals the pilot project 90 days after the adjournment of the First Regular Session of the 124th Legislature.

LD 2119

**An Act To Comply with the Federal Commercial Motor Vehicle
Safety Act of 1986**

PUBLIC 679

Sponsor(s)
SAVAGE
MCKENNEY

Committee Report

Amendments Adopted

LD 2119 proposed to make changes to ensure compliance with the federal Commercial Motor Vehicle Safety Act of 1986 to preserve receipt of federal highway funds. Specifically, the bill proposed to make state law consistent with applicable federal regulations granting waivers from the commercial driver licensing requirements for persons operating fire apparatus, military vehicles and farm trucks. The bill further proposed to authorize the Department of Public Safety, Bureau of State Police to adopt by reference the federal regulations establishing minimum fines for out-of-service violations.

Enacted law summary

Public Law 2005, chapter 679 makes changes to ensure compliance with the federal Commercial Motor Vehicle Safety Act of 1986 to preserve receipt of federal highway funds. Specifically, the bill makes state law consistent with applicable federal regulations granting waivers from the commercial driver licensing requirements for persons operating fire apparatus, military vehicles and farm trucks. The bill further authorizes the Department of Public Safety, Bureau of State Police to adopt by reference the federal regulations establishing minimum fines for out-of-service violations.