

STATE OF MAINE
126TH LEGISLATURE
SECOND REGULAR SESSION



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

JOINT STANDING COMMITTEE ON TRANSPORTATION

May 2014

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STATE OF MAINE
126TH LEGISLATURE
SECOND REGULAR SESSION
LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

The *Digest* is arranged within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

CARRIED OVER.....carried over to a subsequent session of the Legislature
CON RES XXX chapter # of constitutional resolution passed by both houses
CONF CMTE UNABLE TO AGREE..... Committee of Conference unable to agree; legislation died
DIED BETWEEN HOUSESHouse & Senate disagreed; legislation died
DIED IN CONCURRENCE defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT action incomplete when session ended; legislation died
EMERGENCYenacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE.....emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT.....legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW.....sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY.....ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX chapter # of enacted public Law
RESOLVE XXX chapter # of finally passed resolve
VETO SUSTAINED.....Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the Second Regular Session of the 126th Legislature is August 1, 2014. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Transportation

LD 108 An Act To Rename Big Moose Mountain as Red Eagle Mountain

ONTP

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

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill directs the Piscataquis County commissioners to change the name of Big Moose Mountain to Red Eagle Mountain, in honor of Chief Henry Red Eagle, a Maliseet from the Moosehead region. In addition, the bill requires that the Piscataquis County commissioners notify appropriate state and federal entities of the name change to ensure that the proper name appears on maps and other documents.

This bill requires that the existing sign mandated by statute on the Maine Turnpike directing people to the Moosehead Lake Region is to be replaced to reflect the name change to Red Eagle Mountain. This bill also directs the Department of Transportation and the Maine Turnpike Authority to change any other signs along the interstate highway or the Maine Turnpike that reference Big Moose Mountain no later than 30 days after the bill becomes effective.

LD 120 An Act To Facilitate Regional Transit

ONTP

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

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to enact measures designed to enable the delivery of cost-effective, sustainable and customer-focused transportation services that will meet the current and future needs of the State.

**LD 566 Resolve, To Enhance and Encourage Economic Development of the
Lower Penobscot River Basin by Improving Rail Transportation**

ONTP

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

This resolve was carried over from the First Regular Session of the 126th Legislature.

This resolve directs the Department of Transportation to conduct a study to determine the feasibility and cost of improving the railroad line from the City of Brewer to the Town of Bucksport and to submit a report with findings and recommendations to the Joint Standing Committee on Transportation no later than February 1, 2014. This resolve also gives the Joint Standing Committee on Transportation authority to submit a bill relating to the subject matter of the report to the Second Regular Session of the 126th Legislature.

Joint Standing Committee on Transportation

LD 1076 An Act To Provide a Mechanism To Allow Certain Commercial Motor Vehicle Weight Limits and Vehicle Dimension Standards To Be Exceeded in Order To Promote Economic Development while Ensuring Public Safety

PUBLIC 565

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WILLETTE	OTP-AM	H-642 S-444 JACKSON T

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill establishes new authorized routes from the United States-Canada border in Van Buren, Limestone and Fort Fairfield to a value-added wood processing facility in Limestone and from the United States-Canada border in Calais to the Port of Eastport for certain commercial vehicles at Canadian gross vehicle weight limits. The bill also increases the allowable gross vehicle weight for a three-axle truck tractor with a three-axle semitrailer by 100 pounds to 109,000 pounds.

Committee Amendment "A" (H-642)

This amendment replaces the bill, including the title.

This amendment authorizes the Department of Transportation to adopt major substantive rules, in consultation with the Department of the Secretary of State and the Department of Public Safety, that allow certain commercial motor vehicles that exceed gross vehicle weight limits and vehicle dimension standards established in statute to travel upon designated routes.

This amendment specifies that prior to allowing the route to be traversed by a commercial motor vehicle, safety and infrastructure must first be assessed, any improvement determined necessary to guarantee that safety has been ensured completed and any infrastructure improvements needed to support increased weights have also been completed. This amendment requires that 50% of any funds needed to finance an infrastructure assessment or to make improvements are provided by the entity proposing the route. This amendment requires that rules adopted allow for local input.

Lastly, this amendment directs the Department of Transportation to provide a report to the joint standing committee of the Legislature having jurisdiction over transportation matters, initially on progress made with respect to rulemaking and biennially on the implementation of rules adopted in accordance with this amendment.

Senate Amendment "B" To Committee Amendment "A" (S-444)

This amendment excludes from the commercial motor vehicle configurations that may be allowed to operate on specified routes of travel by the Commissioner of Transportation, in consultation with others, truck tractor-semitrailer-semi-trailer combination vehicles in which the two trailing units are connected with a B-train assembly.

Enacted Law Summary

Public Law 2013, chapter 565 authorizes the Department of Transportation to adopt major substantive rules, in consultation with the Department of the Secretary of State and the Department of Public Safety that allow certain commercial motor vehicles that exceed gross vehicle weight limits and vehicle dimension standards established in statute to travel upon designated routes. This law excludes from the commercial motor vehicle configurations that may be allowed to operate on specified routes of travel truck tractor-semitrailer-semi-trailer combination vehicles in which the two trailing units are connected with a B-train assembly.

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This law specifies that prior to allowing the route to be traversed by a commercial motor vehicle, safety and infrastructure must first be assessed, any improvement determined necessary to guarantee that safety has been ensured completed, and any infrastructure improvements needed to support increased weights have also been completed. This law requires that 50% of any funds needed to finance an infrastructure assessment or to make improvements are provided by the entity proposing the route. This law requires that rules adopted allow for local input.

Lastly, this law directs the Department of Transportation to provide reports to the joint standing committee of the Legislature having jurisdiction over transportation matters, initially on progress made with respect to rulemaking and biennially on the implementation of rules adopted in accordance with this law.

LD 1327 An Act To Provide Greater Options for Transportation of Public School Students for Cocurricular Activities

PUBLIC 484

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASTRACCIO LANGLEY	OTP-AM	H-625

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill provides a mechanism to transport students to and from school activities by allowing the use of a motor vehicle with a carrying capacity of 10 to 15 passengers that is operated by a driver with an appropriate driver's license endorsement for a school bus that is designed to carry 15 passengers or less including the driver, as long as the vehicle is not used to transport students to and from home and school.

Committee Amendment "A" (H-625)

This amendment replaces the bill. It allows multifunction school activity buses to be used for the transportation of students for school activities other than conveying them to and from home and school, in order to provide a means of transporting students without the buses' having to adhere to certain requirements of school buses, such as a system of stop arms, the use of warning lamps and the use of national school bus yellow paint.

The amendment limits the carrying capacity of a multifunction school activity bus to 15 or fewer passengers, including the driver, requires the operator to have the appropriate school bus endorsement for the number of passengers and gross vehicle weight rating and defines the term "multifunction school activity bus."

The amendment requires a multifunction school activity bus to have markings indicating that students are aboard, the school district or administrative unit associated with the multifunction school activity bus and the location of emergency exits.

The amendment also provides that an operator of a multifunction school activity bus who is convicted of an OUI while operating a multifunction school activity bus will have that operator's school bus operator endorsement permanently revoked.

Lastly, the amendment requires that a multifunction school activity bus meet all Federal Motor Vehicle Safety Standards of 49 Code of Federal Regulations, Part 571 pertaining to this subcategory of buses.

Enacted Law Summary

Public Law 2013, chapter 484 creates a new category of school bus called a multifunction school activity bus. This law specifies that this type of noncommercial motor vehicle is to be used to transport students for school activities, other than conveying students to and from home and school. The law does not require a multifunction school activity bus to adhere to certain requirements of school buses, such as a system of stop arms, the use of warning

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lamps and the use of national school bus yellow paint.

The law specifies the following requirements for a multifunction school activity bus.

1. It may have a carrying capacity of only 15 or fewer passengers, including the driver.
2. It must meet all the Federal Motor Vehicle Safety Standards of 49 Code of Federal Regulations, Part 571, that are applicable to multifunction school activity buses.
3. It must be clearly marked with the words "students aboard."
4. It must have all emergency exits clearly marked.
5. It must clearly display on the outside of the vehicle the school administrative unit or school district name.
6. It must meet all the requirements of chapter 19, subchapter 4 of Title 29-A that pertain to school buses, except section 2302, subsection 1, paragraphs A to E and G and H, section 2304, and section 2308.

The law requires that the driver of a multifunction school activity has the required school bus operator endorsement for the number of passengers and gross vehicle weight rating.

Lastly, the law requires that a person convicted of OUI who operated a multifunction school activity bus during the commission of the offense must have their school bus operator endorsement permanently revoked.

LD 1365 An Act To Promote New Models of Mobility and Access to Transportation

Veto Sustained

Sponsor(s)
TREAT

Committee Report
OTP-AM

Amendments Adopted
H-664

This bill amends the Department of Transportation's biennial operations plan for transit process in order to promote and facilitate new models of mobility and service. This bill adds a declaration of policy to the public transportation administration law. This bill also provides components that must be included in the department's biennial operations plan for transit and describes how the department's plan for transit must be implemented.

This bill eliminates the Interagency Transportation Coordinating Committee and replaces it with a larger, more comprehensive Maine Public Transit Advisory Council. The role of the council is to advise the Legislature and the department regarding strategic planning for public transportation services in the State.

Committee Amendment "A" (H-664)

This amendment replaces the bill. It replaces the requirement in current law for biennial plans for regional transit with a requirement for quinquennial plans, which is consistent with federal requirements. Like the bill, this amendment eliminates the Interagency Transportation Coordinating Committee and replaces it with a new Public Transit Advisory Council. Like the bill, this amendment provides that the council must include, at a minimum, the Commissioner of Transportation, the Commissioner of Health and Human Services, the Commissioner of Labor and the Commissioner of Economic and Community Development. The amendment requires the other members to be appointed by the Commissioner of Transportation, instead of by the Governor as in the bill. The amendment establishes a three-year term for appointed council members, states how vacancies are to be filled, and provides that the Commissioner of Transportation decides how a chair is chosen and how long the chair is to serve. The amendment makes changes to the membership of the council and directs the commissioner to invite members from the joint standing committee of the Legislature having jurisdiction over transportation matters representing different

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political parties and at least one representative of a rail transit group to participate in council meetings. The amendment also clarifies the role of the council and changes the council's annual reporting requirement to a biennial requirement. Lastly, this amendment makes technical changes.

LD 1575 Resolve, Regarding Memorial Plaques Honoring Vietnam Veterans near RESOLVE 80
the Vietnam Veterans Memorial Bridge between Lewiston and Auburn

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

This resolve was acted upon without reference to committee. This bill was enacted by the Legislature during the First Regular Session of the 126th and was held by the Governor; final disposition occurred at the beginning of the Second Regular Session.

This resolve requires the Department of Transportation, within existing resources, to remove existing plaques honoring Vietnam veterans on the Lewiston and Auburn approaches to the Vietnam Veterans Memorial Bridge, donate those plaques to the respective cities where they are currently located and procure and install new plaques that are similar to the existing plaques and have room for additional names. The new plaques may be maintained and updated by the respective cities where the plaques are installed.

Enacted Law Summary

Resolve 2013, chapter 80 requires the Department of Transportation, within existing resources, to remove existing plaques honoring Vietnam veterans on the Lewiston and Auburn approaches to the Vietnam Veterans Memorial Bridge, donate those plaques to the respective cities where they are currently located, procure and install new plaques that are similar in size and style to existing plaques and similar in location as the existing plaques, as long as the location does not present a safety concern for motorists and pedestrians and includes space for additional names. The new plaques may be maintained and updated by the respective cities where the plaques are installed.

LD 1585 Resolve, Regarding Legislative Review of Portions of Chapter 4: Maine RESOLVE 93
Motor Carrier Safety Regulation, a Major Substantive Rule of the EMERGENCY
Department of Public Safety, Bureau of State Police

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

This resolve provides for legislative review of portions of Chapter 4: Maine Motor Carrier Safety Regulation, a major substantive rule of the Department of Public Safety, Bureau of State Police. This rule was amended to incorporate by reference federal regulations that include a prohibition on text messaging and using a cell phone - unless hands-free-while operating a commercial motor vehicle. In addition, the rule now subjects intrastate motor carriers operating less than 100 air miles from their regular place of business to federal regulations which prohibit the operation of a commercial motor vehicle by a person who has methadone or its metabolite in their system.

Enacted Law Summary

Resolve 2013, chapter 93 finally adopts portions of Chapter 4: Maine Motor Carrier Safety Regulation, a major substantive rule of the Department of Public Safety, Bureau of State Police. This amended rule incorporates by reference federal regulations in 49 Code of Federal Regulations pertaining to motor carrier safety including a prohibition on text messaging and using a cell phone, unless hands-free, while operating a commercial motor vehicle. In addition, the rule now subjects intrastate motor carriers operating less than 100 air miles from their regular place of business to federal regulations which prohibit the operation of a commercial motor vehicle by a

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person who has methadone or its metabolite in their system.

Resolve 2013, chapter 93 was finally passed as an emergency measure effective March 18, 2014.

LD 1611 An Act Concerning Learner's Permits

PUBLIC 493

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PEOPLES	OTP-AM	H-653

This bill clarifies that the Secretary of State is the only entity allowed to collect and process applications and fees for a learner’s permit and the only entity that can administer any required examination for a learner’s permit.

Committee Amendment "A" (H-653)

This amendment replaces the bill and removes the emergency preamble and emergency clause. It creates a new learner's permit issuance subsection in law that identifies the Secretary of State as the only entity allowed to collect learner's permit fees and application materials, administer an examination for a learner's permit and issue a learner's permit. This amendment contains transition language that allows the Secretary of State or an individual affiliated with an approved driver education course to collect fees and application materials until October 1, 2014 and to administer exams until January 1, 2015.

Enacted Law Summary

Public Law 2013, chapter 493 requires all fees and any application materials for a learner’s permit are to be collected only by the Secretary of State. This law also limits the administration of any required examination for a learner’s permit to the Secretary of State. Lastly, this law authorizes only the Secretary of State to issue a learner’s permit.

This law allows the Secretary of State to authorize an individual affiliated with an approved driver education course to collect fees or application materials for a learner’s permit until October 1, 2014 and to administer any required examination for a learner’s permit until January 1, 2015.

LD 1645 An Act To Amend the Motor Vehicle Laws

PUBLIC 496

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAZUREK THERIAULT	OTP-AM	S-411

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

1. It changes the definition of "bus" to be consistent with federal law.
2. It repeals the requirement that a vehicle registrant return that registrant's registration certificate to the Secretary of State upon the transfer of ownership of the vehicle.
3. It standardizes the language for vanity plates for environmental registration plates, sportsman registration plates, Purple Heart motorcycle registration plates and veterans’ registration plates to be the same as other vanity plates.
4. It restructures the law relative to the issuance of disability plates and placards and provides that disability plates and placards may be issued for up to six years.

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5. It clarifies that the exemption from the requirement to establish legal presence when issuing a driver's license applies to certain citizens and legal permanent residents applying for the renewal of a driver's license.
6. It corrects an inconsistency in the laws governing the number of practice hours a person under 21 years of age must complete before applying for a driver's license.
7. It clarifies that the exemption from the requirement to establish legal presence when issuing a nondriver identification card applies to certain citizens and legal permanent residents applying for the renewal of a nondriver identification card.
8. It provides that the laws governing abandoned vehicles apply to vehicles left at a storage facility.
9. It allows for a person to be scheduled for the required road test after that person's juvenile provisional license is restored after a suspension instead of making it a requirement of restoration. All other restoration requirements must be met, and if the examination is not successfully completed within 90 days after restoration, an additional suspension for noncompliance will be imposed.

Committee Amendment "A" (S-411)

This amendment removes from the laws governing registration exemptions for various types of tractors and log skidders the requirement that the equipment be operated by the owner of the farm, the woodlot or the equipment in order to qualify for the exemption. This amendment extends the exemption from the prohibition against operating a farm tractor with a revoked or suspended license that currently exists for farm tractor operation to include log skidder and converted logging tractor operation. This amendment repeals the requirement that car dealers provide notices of sale or disposition to the Secretary of State. Lastly, this amendment removes those provisions in the bill that clarify the exemption from the requirements to establish legal presence when reissuing a nondriver identification card or driver's license.

Enacted Law Summary

Public Law 2013, chapter 496 makes the following changes to the motor vehicle laws.

1. It changes the definition of "bus" to be consistent with federal law.
2. It repeals the requirement that a vehicle registrant return that registrant's registration certificate to the Secretary of State upon the transfer of ownership of the vehicle.
3. It standardizes the language for vanity plates for environmental registration plates, sportsman registration plates, Purple Heart motorcycle registration plates and veterans registration plates to be the same as other vanity plates.
4. It removes from the laws governing registration exemptions for various types of tractors and log skidders, the requirement that the equipment be operated by the owner of the farm, the woodlot or the equipment in order to qualify for the exemption.
5. It extends the exemption from the prohibition against operating a farm tractor with a revoked or suspended license that currently exists for farm tractor operation to include log skidder and converted logging tractor operation.
6. It restructures the law relative to the issuance of disability plates and placards and provides that disability plates and placards may be issued for up to six years.
7. It repeals the requirement that car dealers provide notices of sale or disposition to the Secretary of State.

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This bill makes several adjustments to the Maine traveler information services laws. It clarifies the definition of "on-premises sign" and provides that the principal building or structure of an advertised business or activity includes parking lots and outbuildings. It allows farm stands and farmers' markets to erect signs without a license or permit within the public right-of-way. This bill clarifies the manner in which the Commissioner of Transportation may issue a license for on-premises signs. This bill removes the prohibition on placing on-premises signs on natural features. It provides that within compact areas of an urban compact municipality, the municipality is responsible for the administration of the law as it relates to on-premises advertisements.

This bill adjusts the changeable signs provision of the law to allow a business one changeable sign with two sides for each public way that provides direct vehicular access to the business. It removes the provision requiring the changeable portion of an on-premises changeable sign to constitute no more than 50% of the sign's surface area.

Finally, this bill clarifies the commissioner's rulemaking authority with respect to the Maine traveler information services laws.

Committee Amendment "A" (H-716)

This amendment adds complying with national standards to the purpose and policy provisions of the Maine traveler information services laws. Instead of repealing the term "producer," as proposed in the bill, this amendment redefines the term to include "farm and food products" instead of "an agricultural product," which is in the current law. This amendment removes the requirement that signs for farm and food products advertise only products that are grown, produced and sold on the premises and are available for immediate purchase, and that signs for farmers' markets advertise only the farm and food products that are available for purchase at the farmers' market. This amendment requires the Commissioner of Transportation to adopt rules that are substantially compliant with the Manual on Uniform Traffic Control Devices, published by the Federal Highway Administration and other national standards. Lastly, this amendment provides that those provisions of law relating to signs on the Maine Turnpike are to be implemented and administered by the Maine Turnpike Authority.

Enacted Law Summary

Public Law 2013, chapter 529 makes the following adjustments to the Maine traveler information services laws.

1. It adds complying with national standards to the purpose and policy provisions of the law.
2. It clarifies the definition of "on-premises sign" and provides that the principal building or structure of an advertised business or activity includes parking lots and outbuildings.
3. It clarifies the manner in which the Commissioner of Transportation may issue a license for on-premises signs.
4. It removes the prohibition on placing on-premises signs on natural features.
5. It provides that within compact areas of an urban compact municipality, the municipality is responsible for the administration of the law pertaining to on-premises advertisements.
6. It amends the definition of "producer" to refer to farm and food products instead of an agricultural product.
7. It allows farm stands and farmers' markets to erect signs without a license or permit within the public right-of-way.
8. It adjusts the changeable signs provision of the law to allow a business one changeable sign with two sides for each public way that provides direct vehicular access to the business.
9. It removes the provision requiring the changeable portion of an on-premises changeable sign to constitute no more than 50 percent of the sign's surface area.

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10. It clarifies the Commissioner of Transportation’s rulemaking authority with respect to the Maine traveler information services laws and requires that rules adopted are substantially compliant with the Manual on Uniform Traffic Control Devices, published by the Federal Highway Administration, as well as other national standards.

11. It clarifies that those provisions of law relating to signs on the Maine Turnpike are to be implemented and administered by the Maine Turnpike Authority.

LD 1758 An Act To Clarify the Use of the Term "Civil Violation" in the Motor Vehicle Statutes

PUBLIC 482

Sponsor(s)

Committee Report

Amendments Adopted

OTP

This bill clarifies that offenses designated as civil violations in the Maine Revised Statutes, Title 29-A are not traffic infractions and must be charged in a Uniform Summons and Complaint and filed in the appropriate division of the District Court as civil violations. This bill also amends provisions in Title 29-A relating to offenses involving bicycles, roller skis, toy vehicles, scooters and placement of stickers on illegally parked vehicles to clarify that these offenses are traffic infractions and not civil violations.

Enacted Law Summary

Public Law 2013, chapter 482 clarifies that offenses designated as civil violations in the Maine Revised Statutes, Title 29-A are not traffic infractions and must be charged in a Uniform Summons and Complaint and filed in the appropriate division of the District Court as civil violations. This law also amends provisions in Title 29-A relating to offenses involving bicycles, roller skis, toy vehicles, scooters and the placement of stickers on illegally parked vehicles to clarify that these offenses are traffic infractions and not civil violations.

LD 1787 An Act To Clarify the Enforcement Provisions Relating to Motor Carrier Registration

PUBLIC 530

Sponsor(s)

Committee Report

Amendments Adopted

OTP

This bill makes technical and organizational changes to the penalty provisions of the laws regulating the registration of motor carriers. This bill repeals the Maine Revised Statutes, Title 29-A, section 551, subsection 6, which was unnecessary. This bill enacts Title 29-A, section 558-A, which separates crimes, traffic infractions and civil violations. This bill also amends the civil violation now in Title 29-A, section 558-A, subsection 4 by specifying that the fine imposed may not be greater than the fine amount provided in the Federal Motor Carrier Safety Administration's uniform fine assessment program. This bill also specifies the penalty for a traffic infraction instead of relying on the penalty described in Title 29-A, section 103, subsection 3.

Enacted Law Summary

Public Law 2013, chapter 530 makes technical and organizational changes to the penalty provisions of the laws regulating the registration of motor carriers by enacting new provisions in Title 29-A that separate crimes, traffic infractions and civil violations. This law repeals Title 29-A, section 551, subsection 6, as it is no longer necessary. This law amends the civil violation now in Title 29-A, section 558-A, subsection 4 by specifying that the fine imposed may not be greater than the fine amount provided in the Federal Motor Carrier Safety Administration's uniform fine assessment program. Lastly, this law also specifies the penalty for a traffic infraction instead of relying on the penalty described in Title 29-A, section 103, subsection 3.

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LD 1788 An Act To Make Supplemental Allocations from the Highway Fund and Other Funds for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2014 and June 30, 2015

**PUBLIC 586
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THERIAULT MAZUREK	OTP-AM	H-830

Part A makes allocations.

Part B carries forward unexpended All Other funds as of June 30, 2014, in the Department of Secretary of State, Administration - Motor Vehicles program.

Part C renames the Suspense Receivable - Transportation program as the Receivables program. It also renames the Highway and Bridge Light Capital program as the Highway Light Capital program.

Committee Amendment "A" (H-830)

This amendment replaces the bill.

Part A makes allocations.

Part B carries forward unexpended All Other and Personal Services funds as of June 30, 2014 in the Department of Secretary of State, Administration - Motor Vehicles program.

Part C renames the Suspense Receivable - Transportation program as the Receivables program. It also renames the Highway and Bridge Light Capital program as the Highway Light Capital program and renames the Multimodal - Freight program as the Multimodal - Freight Rail program.

Part D transfers incremental funding provided in Public Law 2013, chapter 354, Part H for the State's contribution to state employee and retiree health insurance premiums from fiscal year 2013-14 to fiscal year 2014-15.

Part E reduces Highway Fund funding for retiree health insurance as the result of a new actuarial projection and requires the State Budget Officer to calculate the savings that apply against each account as a result of the changes in this Part and to distribute those savings by financial order upon the approval of the Governor as adjustments to appropriations and allocations.

Part F authorizes the Department of Transportation to sell, and the Maine Turnpike Authority to acquire, an approximately 1.9-mile segment of Interstate 95 in Kittery between the southerly terminus of the existing Maine Turnpike and the approach to the Piscataqua River Bridge for the sum of \$30,000,000, which is to be deposited in an Other Special Revenue Funds account to be allocated for the improvement of the Sarah Mildred Long Bridge, and makes certain changes to statutes governing the Maine Turnpike Authority to authorize actions necessary for it to comply with this Part. It also provides that the funding provided to reestablish the Maine-New Hampshire Interstate Bridge Authority must be used for the future capital repair and rehabilitation of the Piscataqua River Bridge and the planned replacement of the Sarah Mildred Long Bridge.

Part G restores merit and longevity pay in fiscal year 2014-15.

Part H requires the State Controller to lapse \$806,550 from the Department of Administrative and Financial

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Services, Salary Plan program, Highway Fund account to the unallocated surplus of the Highway Fund no later than August 1, 2014.

Part I allows the Secretary of State, notwithstanding a current moratorium on the issuance of new decals for special veterans registration plates, to issue a Wabanaki decal to a person who has or receives a special veterans registration plate. It specifies that one set of two decals must be displayed on the front and back plates and sets the maximum price for the set at \$5.

Enacted Law Summary

Public Law 2013, chapter 586 makes supplemental allocations for the fiscal years ending June 30, 2014 and June 30, 2015.

Part A makes allocations.

Part B carries forward unexpended All Other and Personal Services funds as of June 30, 2014 in the Department of Secretary of State, Administration - Motor Vehicles program.

Part C renames the Suspense Receivable - Transportation program as the Receivables program. It also renames the Highway and Bridge Light Capital program as the Highway Light Capital program and renames the Multimodal - Freight program as the Multimodal - Freight Rail program.

Part D transfers incremental funding provided in Public Law 2013, chapter 354, Part H for the State's contribution to state employee and retiree health insurance premiums from fiscal year 2013-14 to fiscal year 2014-15.

Part E reduces Highway Fund funding for retiree health insurance as the result of a new actuarial projection and requires the State Budget Officer to calculate the savings that apply against each account as a result of the changes in this Part and to distribute those savings by financial order upon the approval of the Governor as adjustments to appropriations and allocations.

Part F authorizes the Department of Transportation to sell, and the Maine Turnpike Authority to acquire, an approximately 1.9-mile segment of Interstate 95 in Kittery between the southerly terminus of the existing Maine Turnpike and the approach to the Piscataqua River Bridge for the sum of \$30,000,000, which is to be deposited in an Other Special Revenue Funds account to be allocated for the improvement of the Sarah Mildred Long Bridge, and makes certain changes to statutes governing the Maine Turnpike Authority to authorize actions necessary for it to comply with this Part. It also provides that the funding provided to reestablish the Maine-New Hampshire Interstate Bridge Authority must be used for the future capital repair and rehabilitation of the Piscataqua River Bridge and the planned replacement of the Sarah Mildred Long Bridge.

Part G restores merit and longevity pay in fiscal year 2014-15.

Part H requires the State Controller to lapse \$806,550 from the Department of Administrative and Financial Services, Salary Plan program, Highway Fund account to the unallocated surplus of the Highway Fund no later than August 1, 2014.

Part I allows the Secretary of State, notwithstanding a current moratorium on the issuance of new decals for special veterans registration plates, to issue a Wabanaki decal to a person who has or receives a special veterans registration plate. It specifies that one set of two decals must be displayed on the front and back plates and sets the maximum price for the set at \$5.

Public Law 2013, chapter 586 was enacted as an emergency measure effective April 30, 2014.

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LD 1804 Resolve, To Require the Installation of a Fence on the Penobscot Narrows Bridge

ONTP

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

This resolve directs the Department of Transportation to construct and maintain pedestrian barrier fencing on the Penobscot Narrows Bridge for the purpose of suicide prevention.

LD 1817 An Act To Amend the Law Concerning the State Cost-share Program for Salt and Sand Storage Facilities

**PUBLIC 523
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-751

This bill provides the state share for the remaining Priority 3 salt and sand storage facility project sites by creating a final process to notify a municipality or county of available funds and for that entity to respond to an offer of funding from the Department of Transportation.

This bill requires that a municipality or county with a Priority 3 project respond within two months of receiving a certified letter from the Department of Transportation notifying the municipality or county of funds available to construct a facility for the storage of salt and sand. This bill requires that final plans for a Priority 3 project be reviewed with the Department of Transportation within 14 months of the notification of funds. This bill also requires that construction of a Priority 3 project be completed within 26 months of the notification of funds.

This bill changes the timeframe during which a municipality or county would be exempt from meeting groundwater classifications adopted after January 1, 1980 with respect to salt and sand storage facilities from three years to 26 months from the date of an offer of a state grant for the construction of those facilities. If a municipality or county fails to meet any of the deadlines, it is no longer exempt from licensing requirements for waste discharges.

This bill makes technical changes by removing language applying to funding priorities that are no longer applicable because they have already been funded or a new mechanism is being proposed in the bill.

Committee Amendment "A" (H-751)

This amendment adds an emergency preamble and emergency clause to the bill. This amendment also requires the Department of Transportation to report by January 1, 2017 to the joint standing committee of the Legislature having jurisdiction over transportation matters on the status of funding Priority 3 municipal and county salt and sand storage facility projects and reimbursing qualified Priority 5 projects. This amendment also requires the Department of Transportation, in consultation with the Department of Environmental Protection, to provide proposed legislation to repeal those laws governing project funding that are no longer necessary because all funding has been completed.

Enacted Law Summary

Public Law 2013, chapter 523 provides the state share for the remaining Priority 3 salt and sand storage facility project sites by creating a final process to notify a municipality or county of available funds and for that entity to respond to an offer of funding from the Department of Transportation.

This law requires that a municipality or county with a Priority 3 project respond within two months of receiving a

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certified letter from the Department of Transportation notifying the municipality or county of funds available to construct a facility for the storage of salt and sand. This law requires that final plans for a Priority 3 project be reviewed with the Department of Transportation within 14 months of the notification of funds. This law also requires that construction of a Priority 3 project be completed within 26 months of the notification of funds.

This law changes the timeframe during which a municipality or county would be exempt from meeting groundwater classifications adopted after January 1, 1980, with respect to salt and sand storage facilities, from three years to 26 months from the date of an offer of a state grant for the construction of those facilities. If a municipality or county fails to meet any of the deadlines, it is no longer exempt from licensing requirements for waste discharges.

This law makes technical changes by removing language applying to funding priorities that are no longer applicable because they have already been funded or a new mechanism is being proposed in the bill.

This law requires the Department of Transportation to report by January 1, 2017 to the joint standing committee of the Legislature having jurisdiction over transportation matters on the status of funding Priority 3 municipal and county salt and sand storage facility projects and reimbursing qualified Priority 5 projects. Lastly, this law also requires the department, in consultation with the Department of Environmental Protection, to provide proposed legislation to repeal those laws governing project funding that are no longer necessary because all funding has been completed.

Public Law 2013, chapter 523 was enacted as an emergency measure effective April 5, 2014.

LD 1831 An Act To Allow Signs for Areas of Local, Regional and Statewide Interest on the Interstate System

PUBLIC 549

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-814

This bill is reported out by the Joint Standing Committee on Transportation pursuant to Resolve 2013, chapter 14, section 4.

This bill repeals the law mandating signs for specific destinations on the interstate system and enacts provisions governing the placement of interchange guide signs and supplemental guide signs directing travelers to destinations of local, regional or statewide interest. This bill directs the Department of Transportation and the Maine Turnpike Authority to remove signs from the interstate system if existing signs do not comply with the new provisions.

This bill also amends existing law to allow a third-party to operate or sponsor a safety patrol service on the Maine Turnpike.

Committee Amendment "A" (H-814)

This amendment specifies that, while the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires rules that establish a fee to be major substantive rules, rules adopted in accordance with Maine's traveler information services laws are to be routine technical rules.

This amendment removes the requirement that a college or university must be a nonprofit institution and further specifies that the institution must be accredited and authorized to confer a degree in accordance with Title 20-A, chapter 409.

This amendment clarifies that all determinations regarding compliance as it relates to interchange and supplemental guide signs are to be made by either the Maine Turnpike Authority or the Department of Transportation.

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This amendment adds to the bill another allowance for a municipality to be included on an interchange guide sign when that municipality is within five miles of the exit, has a population of at least 2,000, has any portion of the interstate system pass through it and is accessible from the interstate via highways that are classified as arterials or major collectors. This amendment expands the distance a college or university with an enrollment of at least 300 students may be from the exit to qualify for a supplemental guide sign from five miles to 15 miles. This amendment combines the thresholds that must be met in order for a state park or federal park to qualify for a supplemental guide sign and increases the maximum distance a park may be from an exit from 100 miles to 120 miles when it has a minimum annual attendance of 75,000 recorded visitors. Additionally, this amendment allows a major municipality or destination that is already identified on an interchange guide sign to qualify for a supplemental guide sign under the standards for a major recreational area.

Lastly, this amendment expands the type of ski areas that may qualify for a supplemental guide sign by including a ski area that is within ten miles of an exit, with a minimum vertical drop of 200 feet with ten or more maintained trails and has an aerial lift servicing groomed trails.

Enacted Law Summary

Public Law 2013, chapter 549 does the following.

1. It repeals the law mandating signs for specific destinations on the interstate system.
2. It enacts provisions governing the placement of interchange guide signs and supplemental guide signs directing travelers to destinations of local, regional or statewide interest.
3. It directs the Department of Transportation and the Maine Turnpike Authority to remove signs from the interstate system if existing signs do not comply with the new provisions.
4. It allows a third party to operate or sponsor a safety patrol service on the Maine Turnpike.
5. It specifies that, while the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires rules that establish a fee to be major substantive rules, rules adopted in accordance with the provisions of the bill are to be routine technical rules.
6. It specifies that all determinations regarding compliance as it relates to interchange and supplemental guide signs are to be made by either the Maine Turnpike Authority or the Department of Transportation.

**LD 1862 An Act To Enhance the Availability of Special Restricted Licenses in
Cases of Medical Need**

**PUBLIC 606
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FREDETTE	OTP-AM	H-852

This bill expands the Secretary of State's current authority to issue a special restricted license to a person who is 15 years of age based on educational need or employment need to include circumstances of medical necessity that are experienced by the person or a member of the person's immediate family if the Secretary of State determines the circumstances to be exigent and not inconsistent with the interest of highway safety. This bill also requires that an application for a special restricted license based on medical need be accompanied by a notarized statement from the parent or guardian attesting that no readily available alternative means of transportation exists and that use of a motor vehicle is necessary under the circumstances.

Committee Amendment "A" (H-852)

This amendment makes the following changes to the bill.

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1. It clarifies that a special restricted license based on educational need, employment need or medical need may be issued only after an applicant passes an examination for operation of a motor vehicle as provided in the Maine Revised Statutes, Title 29-A, section 1301.
2. It requires that in order for a person who is 15 years of age to receive a special restricted license based on educational need or employment need the person must have completed a minimum of 70 hours of driving, including ten hours of night driving, while accompanied by a parent, guardian or licensed driver at least 20 years of age.
3. It requires that in order for a person who is 15 years of age to receive a special restricted license based on medical need the person must have completed a minimum of 35 hours of driving, including five hours of night driving, while accompanied by a parent, guardian or licensed driver at least 20 years of age.
4. It requires that a person issued a special restricted license based on medical need must complete a minimum of 35 additional hours of driving, including five hours of night driving, while accompanied by a parent, guardian or licensed driver at least 20 years of age before qualifying for a provisional license without restriction.
5. It requires that an application for a special restricted license based on medical need must include a signed, notarized statement from a physician attesting to the existence of circumstances of medical necessity.
6. It requires that, consistent with the restrictions placed on use of special restricted licenses based on educational need and employment need, a special restricted license based on medical need may be used only to operate a motor vehicle between the holder's residence and school and locations necessitated by the circumstances of medical necessity.

Enacted Law Summary

Public Law 2013, chapter 606 expands the Secretary of State's current authority to issue a special restricted license to a person who is 15 years of age based on educational need or employment need to include circumstances of medical necessity that are experienced by the person or a member of the person's immediate family if the Secretary of State determines the circumstances to be exigent and not inconsistent with the interest of highway safety. This law also requires that an application for a special restricted license based on medical need be accompanied by a notarized statement from the parent or guardian attesting that no readily available alternative means of transportation exists and that use of a motor vehicle is necessary under the circumstances, and a signed, notarized statement from a physician attesting to the existence of circumstances of medical necessity.

This law clarifies that a special restricted license based on educational need, employment need or medical need may only be issued after an applicant passes an examination for operation of a motor vehicle as provided in the Maine Revised Statutes, Title 29-A, section 1301.

This law requires that in order for a person who is 15 years of age to receive a special restricted license based on educational need or employment need the person must have completed a minimum of 70 hours of driving, including ten hours of night driving, while accompanied by a parent, guardian or licensed driver at least 20 years of age. For a person who is 15 years of age to receive a special restricted license based on medical need, this law requires the person to complete a minimum of 35 hours of driving, including five hours of night driving, while accompanied by a parent, guardian or licensed driver at least 20 years of age. However, before a person issued a special restricted license based on medical need can qualify for a provisional license without restriction, this law also requires a person to complete a minimum of 35 additional hours of driving, including five hours of night driving, while accompanied by a parent, guardian or licensed driver at least 20 years of age.

Lastly, this law requires that, consistent with the restrictions placed on use of special restricted licenses based on educational need and employment need, a special restricted license based on medical need may be used only to operate a motor vehicle between the holder's residence and school and locations necessitated by the circumstances

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of medical necessity.

Public Law 2013, chapter 606 was enacted as an emergency measure effective May 12, 2014.

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SUBJECT INDEX

Bridges

Not Enacted

LD 1804 Resolve, To Require the Installation of a Fence on the Penobscot Narrows Bridge ONTP

General Highway Fund

Enacted

LD 1788 An Act To Make Supplemental Allocations from the Highway Fund and Other Funds for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2014 and June 30, 2015 PUBLIC 586
EMERGENCY

Motor Carriers

Enacted

LD 1076 An Act To Provide a Mechanism To Allow Certain Commercial Motor Vehicle Weight Limits and Vehicle Dimension Standards To Be Exceeded in Order To Promote Economic Development while Ensuring Public Safety PUBLIC 565

LD 1585 Resolve, Regarding Legislative Review of Portions of Chapter 4: Maine Motor Carrier Safety Regulation, a Major Substantive Rule of the Department of Public Safety, Bureau of State Police RESOLVE 93
EMERGENCY

LD 1787 An Act To Clarify the Enforcement Provisions Relating to Motor Carrier Registration PUBLIC 530

Motor Vehicles

Enacted

LD 1645 An Act To Amend the Motor Vehicle Laws PUBLIC 496

LD 1758 An Act To Clarify the Use of the Term "Civil Violation" in the Motor Vehicle Statutes PUBLIC 482

Operator's License

Enacted

LD 1611 An Act Concerning Learner's Permits PUBLIC 493

LD 1862 An Act To Enhance the Availability of Special Restricted Licenses in Cases of Medical Need PUBLIC 606
EMERGENCY

Public Transportation

Not Enacted

LD 120 An Act To Facilitate Regional Transit ONTP

LD 1365 An Act To Promote New Models of Mobility and Access to Transportation Veto Sustained

Railroads

Not Enacted

LD 566 Resolve, To Enhance and Encourage Economic Development of the Lower Penobscot River Basin by Improving Rail Transportation ONTP

School Buses

Enacted

LD 1327 **An Act To Provide Greater Options for Transportation of Public School Students for Cocurricular Activities** **PUBLIC 484**

Signs

Enacted

LD 1575 **Resolve, Regarding Memorial Plaques Honoring Vietnam Veterans near the Vietnam Veterans Memorial Bridge between Lewiston and Auburn** **RESOLVE 80**

LD 1721 **An Act To Make Changes to and Clarify Maine Traveler Information Services Laws** **PUBLIC 529**

LD 1831 **An Act To Allow Signs for Areas of Local, Regional and Statewide Interest on the Interstate System** **PUBLIC 549**

Not Enacted

LD 108 **An Act To Rename Big Moose Mountain as Red Eagle Mountain** **ONTP**

Transportation Department

Enacted

LD 1817 **An Act To Amend the Law Concerning the State Cost-share Program for Salt and Sand Storage Facilities** **PUBLIC 523
EMERGENCY**

Not Enacted

LD 1692 **An Act To Ensure That Local Businesses Are Notified of Construction Projects** **ONTP**

Turnpike Authority

Enacted

LD 1708 **An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2015** **P & S 22**

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