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April 1, 2025

Testimony Introducing LD 1039: Regarding Municipal Authority over Heavy Vehicle Operation

Thank you, Senator Nangle. Representative Crafts, distinguished members of the Committee on Transportation. I come before you to address difficulties I have been made aware of by Public Works officials, particularly of smaller units of government in my area. In listening to those concerns I think I have gotten a pretty good overview of their dilemmas.

I want to share that overview with you today; at the same time I suspect some of you may understand these matters better than I do. In any case, I hope we can do something together to solve some problems. So, here's how I see it.

Sometimes we get lots of snow. Regardless, people still want to operate vehicles for both for personal and commercial reasons. Enter Public Works operations, including many smaller-scale units of government.

Effectiveness & Efficiency

Effectiveness of response in this means both -

1. that they safeguard life and limb of people by clearing and sanding or salting the roads, and
2. that they do it as quickly and safely as possible.

But this second aspect of **effectiveness** depends to a greater or lesser degree upon something else in department operations. That something else is **efficiency**, meaning making the most of all resources—time, money, materials—with as little waste as possible.

The crux of my concern today really has everything to do with how greater safety is achieved through greater **efficiency** in smaller Public Works operations.* Clearing, salting or sanding roads with heavy equipment can be safely done in 75% - 85% of the time it takes to do the work with lighter duty vehicles. That means more safety sooner. Without heavy vehicles, safety can be compromised another way; lacking efficient use of time, a large snow fall for a smaller department may involve drivers working around the clock with only cat naps!

*Greater efficiency necessarily results in lower property taxes as well.

But operating heavier vehicles currently requires a Class A or B driver's license. I have been told of towns getting individuals trained for such CDL licenses, and at the cost of \$7,000 to \$10,000 dollars, only to have them soon quit for more pay with private, commercial employers. This difficulty in competing for workers is at the heart of most officials' concern. Moreover, it seems that the wage gap between local governments and commercial interests will continue to grow and grow.

When a small town gets a big snow, for that town it's a sort of emergency. It is not unlike the parallel emergency of a fire. So how do Fire Departments put drivers behind the wheel of these much, much heavier than heavy vehicles? Not surprisingly, having received abundant safety training, most of those drivers possess only a Class C license.

The Federal Commercial Vehicle Safety Act and License Compact notwithstanding, it seems more than reasonable that small units of government like municipalities be able to put safety-certified drivers behind the wheel for very limited duties and within very limited boundaries of a town government. After all, by its very title, it seems the assumptions behind the Safety Act have to do with *Commercial* operations.

I fully understand that, given Federal statute and regulations, this bill as written is untenable. But I hope the committee will recognize, purely on its merits, it's actually quite reasonable. (It makes me wonder about the process by which so many States could skirt what they deemed unreasonable about marijuana and the Federal Controlled Substances Act.)

Thank you again for allowing me to bring these matters to your attention. As I said, though I know the aforementioned U.S. law and regulations limit the feasibility of our immediate actions, I hope, at least down the road, we may work together to do some good with this.

Respectfully,

Representative Mark Walker