



STATE OF MAINE
Department of Public Safety
Maine State Police
Traffic Safety Unit
State House Station 20
Augusta, Maine
04333-0020

JANET T. MILLS
GOVERNOR

MICHAEL SAUSCHUCK
COMMISSIONER

COL. WILLIAM ROSS
CHIEF

LT. COL. BRIAN P. SCOTT
DEPUTY CHIEF

Testimony of Lt. Randall Keaten

AGAINST LD 1714

An Act to Create a New Pathway to Licensure to Drive School Buses.

Senator Nangle, Rep. Crafts, and distinguished Members of the Joint Standing Committee on Transportation, my name is Lt. Randall Keaten, and I am the Commanding Officer of the State Police Commercial Vehicle Enforcement Unit. I am here today to testify on behalf of the Department of Public Safety and the Maine State Police in Opposition of LD 1714.

This bill, if passed, would take the State of Maine out of compliance with the Federal Motor Carrier Safety Regulations which would go against the State Police's current adoption agreement with the Federal Motor Carrier Safety Administration (FMCSA) and Maine's Commercial Driver's License Compact. It is also worth considering that under Title 29-A section 1253 subsection 2, it requires the State to comply with the Commercial Vehicle Safety Act of 1986, The Federal Motor Carrier Safety Improvement Act of 1999 and regulations adopted pursuant those Acts in **issuing** and suspending a commercial

INTEGRITY

*

FAIRNESS

*

COMPASSION

*

EXCELLENCE

license. It further states, in the case of any conflict between the federal statute or regulation and a statute or rule of this State, the federal statute or regulation must apply and take precedence. States must comply with Federal standards in order to not have apportioned funds withheld. Currently the fiscal support in highway funding is approximately 1.1 billion dollars and the current MCSAP grant stands at 2.6 million dollars of potentially impacted federal funds.

The current wording in this bill hopes to carve out a small exemption for a limited group of people without CDL's to operate school buses but fails to address the limited use of School Buses by the current Federal Motor Carrier Regulations. 49 CFR 390.5 defines School Bus Operation as: "use of a school bus to transport only school children and/or school personnel from home to school and from school to home". Field trips and sporting events would not be covered by the current Federal definition of operation. Operating school buses outside of this standard would open driver and schools to the liabilities of federal licensing, operation, and inspection.

In my previous assignment, I worked under Lt. Scott in the Traffic Safety Unit for seven years developing the inspection and training program for school bus safety with Maine Association of Pupil Transport and Department of Education. The driver shortage is real and needs to be addressed. Reducing licensing standards will not make our children safer, it will only endanger them and the public. There is a national standard that has been proven and time tested.

I will defer my testimony on licensing and permitting to the Bureau of Motor Vehicles who may address any concerns that they may have with this bill.

For these reasons, we urge you to vote "Ought Not to Pass" on LD 1714.

On behalf of the Department of Public Safety and the Maine State Police, I thank you for your time and would be happy to try and answer any questions that you might have.

INTEGRITY

*

FAIRNESS

*

COMPASSION

*

EXCELLENCE