

STATE OF MAINE
124TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the First Regular Session of the 124th Maine Legislature coming from the

JOINT STANDING COMMITTEE ON TRANSPORTATION

July 2009

STAFF:

KAREN NADEAU-DRILLEN, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
&
SUZANNE ROY, LEGISLATIVE ANALYST
OFFICE OF FISCAL AND PROGRAM REVIEW
5 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1635

MEMBERS:

SEN. DENNIS S. DAMON, CHAIR
SEN. JOSEPH C. PERRY
SEN. WALTER R. GOOLEY

REP. EDWARD J. MAZUREK, CHAIR
REP. GEORGE HOGAN
REP. ANN E. PEOPLES.
REP. CHARLES KENNETH THERIAULT
REP. CHARLES W. HARLOW
REP. MICHAEL E. CAREY
REP. WILLIAM P. BROWNE
REP. DOUGLAS A. THOMAS
REP. RICHARD M. CEBRA
REP. KIMBERLEY C. ROSEN

Joint Standing Committee on Transportation

LD 6 An Act To Establish a Distracted Driver Law

PUBLIC 446

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DIAMOND	OTP-AM	S-126

This bill makes driving while distracted a moving violation. It prohibits engaging in an activity that impairs the driver's ability to drive. It also allows the Department of Transportation to adopt rules.

Committee Amendment "A" (S-126)

The amendment, which replaces the bill, makes failure to maintain control of a motor vehicle a traffic infraction. The amendment defines "operation of a motor vehicle while distracted" as the operation of a motor vehicle by a person who, while operating the vehicle, is engaged in an activity that is not necessary to the operation of the vehicle and that actually impairs, or would reasonably be expected to impair, the ability of the person to safely operate the vehicle.

The amendment provides that a person commits the traffic infraction of failure to maintain control of a motor vehicle if the person commits either a traffic infraction under the motor vehicle laws or commits the crime of driving to endanger and, at the time the traffic infraction or crime occurred, the person was engaged in the operation of a motor vehicle while distracted or the person is determined to have been the operator of a motor vehicle that was involved in a reportable accident that resulted in property damage and, at the time the reportable accident occurred, the operator was engaged in the operation of a motor vehicle while distracted.

Enacted Law Summary

Public Law 2009, chapter 446 makes failure to maintain control of a motor vehicle a traffic infraction. The law defines "operation of a motor vehicle while distracted" as the operation of a motor vehicle by a person who, while operating the vehicle, is engaged in an activity that is not necessary to the operation of the vehicle and that actually impairs, or would reasonably be expected to impair, the ability of the person to safely operate the vehicle.

It provides that a person commits the traffic infraction of failure to maintain control of a motor vehicle if the person commits either a traffic infraction under the motor vehicle laws or commits the crime of driving to endanger and, at the time the traffic infraction or crime occurred, the person was engaged in the operation of a motor vehicle while distracted or the person is determined to have been the operator of a motor vehicle that was involved in a reportable accident that resulted in property damage and, at the time the reportable accident occurred, the operator was engaged in the operation of a motor vehicle while distracted.

LD 7 An Act To Amend the Instruction Permit Process

PUBLIC 43

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DIAMOND	OTP-AM	S-7

This bill allows a person whose license was canceled or suspended in the immediately preceding 2 years for any reason to accompany a person with an instruction permit if the person acting as the accompanying operator is at least 20 years of age, sits beside the permittee and has a valid license.

Joint Standing Committee on Transportation

Committee Amendment "A" (S-7)

This amendment, which replaces the bill, requires the person acting as the accompanying operator for a permit holder to have held a valid license for at least 2 years.

Enacted Law Summary

Public Law 2009, chapter 43 requires the person acting as the accompanying operator for a permit holder to have held a valid license for at least 2 years.

LD 8 An Act To Deter Road Rage

ONTP

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

This bill defines road rage and establishes it as a Class E crime. A person who commits road rage is subject to the loss of that person's license for 90 days and is required to complete an anger management course.

LD 15 An Act To Prohibit the Sale of a Road Sign Originally Placed by the State, a County or a Municipality

DIED BETWEEN HOUSES

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

This bill provides that a person may not sell or offer to sell a sign that had been placed by the State, a county or a municipality on a highway or street. A person who violates this provision commits a Class E crime.

LD 36 An Act To Reopen Certain Rest Stops on Route 1

ONTP

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

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

This bill proposes to reopen closed rest areas along Route 1 in Fort Kent and in Grand Isle. Under this bill, the cost of reopening and maintaining those rest areas would be shared with the affected communities.

Joint Standing Committee on Transportation

LD 37 An Act To Allow a Weight Tolerance for Vehicle Auxiliary Power Units

PUBLIC 3

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

This bill extends a weight tolerance for vehicle auxiliary power units in the laws governing highway weight limits for vehicles.

Enacted Law Summary

Public Law 2009, chapter 3 extends a weight tolerance for vehicle auxiliary power units in the laws governing highway weight limits for vehicles.

LD 38 An Act To Allow the Use of Only 2 Studded Tires on Front-wheel-drive Vehicles

**ACCEPTED ONTP
REPORT**

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

This bill allows a front-wheel-drive vehicle to have studded snow tires on its front wheels only.

LD 39 An Act To Enhance Motorcycle Safety

PUBLIC 441

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CROCKETT P GERZOFISKY	OTP-AM	H-39

This bill requires the Department of Transportation to erect informational signs on roads where rumble strips are located to enhance motorcycle safety.

Committee Amendment "A" (H-39)

This amendment, which replaces the bill, requires the Department of Transportation to install signs on any state highway where centerline rumble strips are located to inform a driver that the driver is approaching a rumble strip and specifies that the signs must comply with the Manual on Uniform Traffic Control Devices published by the Federal Highway Administration.

Enacted Law Summary

Public Law 2009, chapter 441 requires the Department of Transportation to install signs on any state highway where centerline rumble strips are located to inform a driver that the driver is approaching a rumble strip and

Joint Standing Committee on Transportation

specifies that the signs must comply with the Manual on Uniform Traffic Control Devices published by the Federal Highway Administration.

LD 40 An Act To Prohibit Certain Uses of Cellular Telephones and Handheld Electronic Devices while Operating a Motor Vehicle

**ACCEPTED ONTP
REPORT**

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

This bill prohibits the use of a handheld cellular telephone and a handheld electronic device while operating a motor vehicle. The bill clarifies that law enforcement officers, corrections officers, firefighters, drivers of authorized emergency vehicles, holders of commercial driver's licenses, physicians, municipal public works personnel, Maine Turnpike Authority personnel and state transportation personnel, including all employees and contractors of the Department of Transportation, may use handheld cellular telephones while driving within the scope of their employment. The bill makes the offense a traffic infraction.

Committee Amendment "A" (H-31)

This amendment, which is the minority report of the Joint Standing Committee on Transportation, expands the list of those exempt from the prohibition against using a handheld cellular telephone and a handheld electronic device while operating a motor vehicle to include personnel of a public utility within the scope of their employment.

The amendment also provides that the definition of "handheld electronic device" does not include a radio licensed by the Federal Communications Commission, including, but not limited to, a citizen band or amateur radio, a change that has the effect of allowing persons to use radios while driving. The amendment prohibits the use of a radio while driving in an area designated by the Department of Transportation or the Maine Turnpike Authority as a construction zone but allows workers within construction zones to continue to use handheld cellular telephones, handheld electronic devices or radios licensed by the Federal Communications Commission if it is within the scope of their employment.

The amendment also adds an appropriations and allocations section.

LD 41 An Act To Prohibit the Use of a Handheld Cellular Telephone While Operating a Motor Vehicle

ONTP

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

This bill prohibits the use of a handheld cellular telephone and text messaging while operating a motor vehicle. The bill clarifies that law enforcement officers, corrections officers, firefighters, drivers of authorized emergency vehicles, holders of commercial driver's licenses, physicians, municipal public works personnel, Maine Turnpike Authority personnel and state transportation personnel, including all employees and contractors of the Department of Transportation, may use handheld cellular telephones while driving within the scope of their employment. The bill makes the offense a traffic infraction.

Joint Standing Committee on Transportation

LD 42 An Act To Increase the Time Period for Motor Vehicle Inspections to 2 Years

**ACCEPTED ONTP
REPORT**

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

This bill changes the annual inspection requirement for motor vehicles, except for commercial vehicles, trailers and semitrailers, to a biennial inspection requirement. This bill also changes the annual enhanced inspection requirement for vehicles registered in Cumberland County to a biennial requirement. Finally, this bill changes the annual partial inspection requirement for farm trucks, fish trucks and woods tractors to a biennial requirement.

Committee Amendment "A" (H-27)

This amendment, which is the minority report of the Joint Standing Committee on Transportation, replaces the bill and provides that a new motor vehicle, but not including a commercial vehicle, trailer or semitrailer, that has had an inspection is not required to have another inspection until 2 years from the last day of the month in which it was initially registered. The amendment also directs the Department of Public Safety, Bureau of State Police to undertake a comprehensive review of current motor vehicle inspection rules.

LD 48 Resolve, To Delay the Sustainability of the Highway Fund

ONTP

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

This resolve suspends for 2 years, beginning July 1, 2009 and ending June 30, 2011, the annual indexing of the excise tax imposed on internal combustion engine fuel and distillates.

LD 49 An Act To Require the Secretary of State To Provide Notice of License Revocation or Suspension by Certified Mail

**ACCEPTED ONTP
REPORT**

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

This bill requires the notice of license suspension or revocation mailed by the Secretary of State to be done by certified mail.

Committee Amendment "A" (H-5)

The amendment adds an appropriations and allocations section.

Joint Standing Committee on Transportation

LD 60 Resolve, To Rename the Father Curran Bridge in Augusta

RESOLVE 4

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CROCKETT P MITCHELL E	OTP	

This resolve changes the name of the Father Curran Bridge in Augusta to the Calumet Bridge at Old Fort Western.

Enacted Law Summary

Resolve 2009, chapter 4 changes the name of the Father Curran Bridge in Augusta to the Calumet Bridge at Old Fort Western.

LD 61 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 Year Ending June 30, 2009

**PUBLIC 7
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAZUREK DAMON	OTP-AM	H-4

Part A makes allocations of funds for the fiscal year ending June 30, 2009.

Part B makes allocations of funds for approved reclassifications and range changes.

Part C lapses \$12,652 in projected salary savings in the Personal Services line category in the Compensation and Benefit Plan, Highway Fund account in the Department of Administrative and Financial Services to the Highway Fund at the close of fiscal year 2008-09.

Committee Amendment "A" (H-4)

Part A makes allocations of funds for the fiscal year ending June 30, 2009.

Part B makes allocations of funds for approved reclassifications and range changes.

Part C lapses \$12,652 in projected salary savings in the Personal Services line category in the Compensation and Benefit Plan, Highway Fund account in the Department of Administrative and Financial Services to the Highway Fund at the close of fiscal year 2008-09.

Under existing law, a road commissioner may, with the written consent of the municipal officers, exceed the road appropriation authorized by the local legislative body by 15% for road repairs. Part D clarifies that the road commissioner may exceed the appropriation to maintain the roads as well.

Enacted Law Summary

Public Law 2009, chapter 7 does the following:

Joint Standing Committee on Transportation

Part A makes allocations of funds for the fiscal year ending June 30, 2009.

Part B makes allocations of funds for approved reclassifications and range changes.

Part C lapses \$12,652 in projected salary savings in the Personal Services line category in the Compensation and Benefit Plan, Highway Fund account in the Department of Administrative and Financial Services to the Highway Fund at the close of fiscal year 2008-09.

Under existing law, a road commissioner may, with the written consent of the municipal officers, exceed the road appropriation authorized by the local legislative body by 15% for road repairs. Part D clarifies that the road commissioner may exceed the appropriation to maintain the roads as well.

Public Law 2009, chapter 7 was enacted as an emergency measure effective March 17, 2009.

**LD 110 An Act To Allow School Buses To Travel at the Posted Speed Limit on
the Interstate and the Maine Turnpike**

PUBLIC 9

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

The bill allows school buses to travel at the posted speed limit on Maine's portion of the Interstate Highway System, including the Maine Turnpike.

Enacted Law Summary

Public Law 2009, chapter 9 allows school buses to travel at the posted speed limit on Maine's portion of the Interstate Highway System, including the Maine Turnpike.

LD 111 Resolve, To Name Part of Route 16 the Alton E. Worcester Highway

RESOLVE 5

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

This resolve names the part of Route 16 that runs through Kingsbury Plantation from Mayfield Township to the Town of Abbot the Alton E. Worcester Highway.

Enacted Law Summary

Resolve 2009, chapter 5 names the part of Route 16 that runs through Kingsbury Plantation from Mayfield Township to the Town of Abbot the Alton E. Worcester Highway.

Joint Standing Committee on Transportation

LD 112 An Act To Prohibit the Use of Handheld Cellular Telephones while Driving

ONTP

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

This bill prohibits the use of a handheld cellular telephone while operating a motor vehicle and makes the offense a traffic infraction. The bill clarifies that law enforcement officers, corrections officers, firefighters, drivers of authorized emergency vehicles, holders of commercial driver's licenses, physicians, municipal public works personnel, Maine Turnpike Authority personnel and state transportation personnel, including all employees and contractors of the Department of Transportation, may use handheld cellular telephones while driving within the scope of their employment.

LD 126 An Act To Amend Certain Laws Affecting Transportation

PUBLIC 315

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HOGAN	OTP-AM MAJ ONTP MIN	H-477

The bill:

1. Clarifies language pertaining to the responsibility of private culvert replacement and repair on a state right-of-way;
2. Extends to all Maine roads a weight tolerance for vehicle auxiliary power units that was previously authorized for interstate highways under the federal Energy Policy Act of 2005;
3. Defines "auxiliary power unit," "combination vehicle" and "heavy duty vehicle"; and
4. Clarifies that the exemption of the Maine Turnpike and Interstate 95 in Kittery from the definition of "interstate highway," "interstate system" and "interstate highway system" applies only to weight limits.

Committee Amendment "A" (H-477)

This amendment, which is the majority report of the Joint Standing Committee on Transportation, further clarifies language pertaining to the responsibility of private culvert replacement and repair on a state right-of-way. When the department determines a culvert replacement is required for an existing driveway, entrance or approach located within the highway limits as part of a capital highway or ditching project or emergency response effort where the culvert replacement is required to reestablish access to an abutting property, the department is responsible for the cost of the replacement. When the department determines a culvert replacement is not required for an existing driveway, entrance or approach located within the highway limits, the abutter is responsible for the cost of any replacement.

The amendment eliminates the sections of the bill relating to auxiliary power units. The amendment eliminates from the bill the section defining "heavy duty vehicle." The amendment also further clarifies the definition of "interstate highway," "interstate system" and "interstate highway system."

Joint Standing Committee on Transportation

Enacted Law Summary

Public Law 2009, chapter 315 clarifies the responsibility of private culvert replacement and repair on a state right-of-way. When the department determines a culvert replacement is required for an existing driveway, entrance or approach located within the highway limits as part of a capital highway or ditching project or emergency response effort where the culvert replacement is required to reestablish access to an abutting property, the department is responsible for the cost of the replacement. When the department determines a culvert replacement is not required for an existing driveway, entrance or approach located within the highway limits, the abutter is responsible for the cost of any replacement.

The law also clarifies the definition of "interstate highway," "interstate system" and "interstate highway system."

LD 133 **An Act To Allow a Duplicate Vanity License Plate in a Different Classification of Plate**

ONTP

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

This bill repeals the prohibition that vanity plates may not duplicate vanity plates issued in another class of plate.

LD 145 **An Act To Require the Secretary of State To Notify Vehicle Owners of Impending Registration Expiration**

ONTP

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

This bill requires the Secretary of State to notify the owner or owners of a registered vehicle at least 30 days prior to the expiration of the vehicle's annual registration. The bill also increases the annual registration fee for an automobile, pickup truck or sport utility vehicle by \$1, from \$35 to \$36.

LD 152 **An Act Relating to Autocycles**

PUBLIC 55

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CONNOR DAMON	OTP-AM	H-25

This bill defines an autocycle as an enclosed, 3-wheeled motorcycle with certain additional safety equipment and establishes provisions for registration, operator licensing and limitations on operation of an autocycle. An autocycle would be allowed to operate only on roads with a posted speed limit of 45 miles per hour or less. An autocycle may not be designed or used primarily for the transport of cargo or materials.

Committee Amendment "A" (H-25)

Joint Standing Committee on Transportation

This amendment provides that an autocycle may be equipped with a roll bar or enclosed cab in order to meet the general safety inspection standards. The amendment provides that an autocycle may only transport cargo in compliance with manufacturer specifications. The amendment removes the requirement for protective headgear. The amendment removes the requirement that a person operating an autocycle must possess a valid operator's license of any class with a motorcycle endorsement or a motorcycle operator's license, and clarifies that a person operating an autocycle must possess a valid operator's license. Finally, the amendment requires the Secretary of State to submit a report to the 125th Legislature regarding autocycles and repeals the provisions of law regarding autocycles 90 days after adjournment of the First Regular Session of the 125th Legislature.

Enacted Law Summary

Public Law 2009, chapter 55 provides that an autocycle may be equipped with a roll bar or enclosed cab in order to meet the general safety inspection standards. It provides that an autocycle may only transport cargo in compliance with manufacturer specifications. It also clarifies that a person operating an autocycle must possess a valid operator's license. Finally, it requires the Secretary of State to submit a report to the 125th Legislature regarding autocycles and repeals the provisions of law regarding autocycles 90 days after adjournment of the First Regular Session of the 125th Legislature.

LD 169 An Act To Allow a Newly Licensed Driver To Transport a Foreign Exchange Student Who Lives with That Driver's Family

**PUBLIC 10
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PLOWMAN DIAMOND	OTP	S-3 PLOWMAN

This bill allows a person under 18 years of age to transport a foreign exchange student that is living with that person's family.

Senate Amendment "A" (S-3)

This amendment adds an emergency preamble and emergency clause to the bill.

Enacted Law Summary

Public Law 2009, chapter 10 allows a person under 18 years of age to transport a foreign exchange student that is living with that person's family.

Public Law 2009, chapter 10 was enacted as an emergency measure effective March 23, 2009.

LD 178 An Act To Create the Support Animal Welfare Registration Plate

PUBLIC 73

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING J	OTP-AM	S-8

This bill creates the Support Animal Welfare special registration plate. Proceeds from the plate would be divided equally between the animal welfare auxiliary fund and the Companion Animal Sterilization Fund, both of which are administered by the Department of Agriculture, Food and Rural Resources.

Joint Standing Committee on Transportation

Committee Amendment "A" (S-8)

The amendment adds an appropriations and allocations section. This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2009, chapter 73 creates the Support Animal Welfare special registration plate. Proceeds from the plate will be divided equally between the animal welfare auxiliary fund and the Companion Animal Sterilization Fund, both of which are administered by the Department of Agriculture, Food and Rural Resources.

LD 213 **An Act To Allow Military Reenlistees To Obtain a Veterans Registration Plate**

PUBLIC 80

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO	OTP-AM	H-66

This bill allows a person who served at least one tour of duty in the United States Armed Forces and who reenlists into the United States Armed Forces to be eligible to receive veterans registration plates for vehicles and motorcycles upon application. It also adds reenlistees to those eligible to receive the special commemorative decals for medals awarded.

Committee Amendment "A" (H-66)

This amendment, which replaces the bill, provides that any person who has served in the United States Armed Forces for at least 3 years and who continues to serve qualifies for special veterans registration plates for motor vehicles and a motorcycle. The amendment also directs the Secretary of State to recall the special veterans registration plate of a recipient who has been less than honorably discharged from the United States Armed Forces.

The amendment also provides that the Secretary of State is not required to purchase or manufacture additional special veterans registration plates if the demand by applicants who qualify for the plates exceeds the annual supply. If the demand exceeds the annual supply, the amendment directs the Secretary of State to maintain a waiting list for those who qualify for special veterans registration plates and to issue plates at the earliest date on which plates are available.

Enacted Law Summary

Public Law 2009, chapter 80 provides that any person who has served in the United States Armed Forces for at least 3 years and who continues to serve qualifies for special veterans registration plates for motor vehicles and a motorcycle. It directs the Secretary of State to recall the special veterans registration plate of a recipient who has been less than honorably discharged from the United States Armed Forces.

It also provides that the Secretary of State is not required to purchase or manufacture additional special veterans registration plates if the demand by applicants who qualify for the plates exceeds the annual supply. If the demand exceeds the annual supply, the law directs the Secretary of State to maintain a waiting list for those who qualify for special veterans registration plates and to issue plates at the earliest date on which plates are available.

Joint Standing Committee on Transportation

LD 221 An Act To Modify the Laws Regarding Seat Belts

PUBLIC 34

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SULLIVAN	OTP-AM MAJ ONTP MIN	S-9

This bill adds newspaper delivery persons engaged in the delivery of newspapers to the list of people who do not need to be secured in a seat belt.

Committee Amendment "A" (S-9)

This amendment, which is the majority report of the Joint Standing Committee on Transportation, clarifies that a newspaper delivery person must be engaged in the actual delivery of newspapers from a vehicle or is performing newspaper delivery duties that require frequent entry into and exit from a vehicle to be exempt from the seat belt requirement in current law.

Enacted Law Summary

Public Law 2009, chapter 34 clarifies that a newspaper delivery person must be engaged in the actual delivery of newspapers from a vehicle or is performing newspaper delivery duties that require frequent entry into and exit from a vehicle to be exempt from the seat belt requirement in current law.

LD 240 An Act To Extend the Exception to Axle Fines during the Midwinter Season

**PUBLIC 444
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON	OTP-AM	S-10

This bill removes the repeal date of the law that allows exceptions to axle fines during the midwinter.

Committee Amendment "A" (S-10)

The committee amendment adds a sunset of September 15, 2011 to that portion of law in the Maine Revised Statutes, Title 29-A, section 2360-A that eliminates axle weight fine violations during the months of January and February on most state roads.

Enacted Law Summary

Public Law 2009, chapter 444 adds a sunset of September 15, 2011 to that portion of law in the Maine Revised Statutes, Title 29-A, section 2360-A that eliminates axle weight fine violations during the months of January and February on most state roads.

Public Law 2009, chapter 444 was enacted as an emergency measure effective June 18, 2009.

Joint Standing Committee on Transportation

LD 243 Resolve, To Direct the Department of Transportation To Establish a Memorial Park Honoring Veterans in Topsham

LEAVE TO WITHDRAW

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

This resolve directs the Department of Transportation to establish and designate with appropriate signs and notices a memorial park off Route 196 in the Town of Topsham to honor the memory of those who have served in the military and lost their lives in Iraq or Afghanistan.

LD 261 An Act To Increase Safety in Construction Zones

ONTP

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

This bill provides that a person may not operate a motor vehicle while using a mobile telephone or handheld electronic device in an area in which the Commissioner of Transportation or the Executive Director of the Maine Turnpike Authority has restricted the speed limit for construction or maintenance activity. The bill also provides that the penalty for a violation of this provision is at least \$50 for the first offense and at least \$250 for the 2nd or subsequent offense.

LD 262 Resolve, Directing the Department of Transportation To Install a Flashing Light in Charleston

ONTP

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

This resolve directs the Department of Transportation to install a flashing red and yellow traffic signal at the intersection of Route 11A, School Road and Atkinson Road in Charleston.

LD 263 An Act To Provide Placards to Drivers Who for Medical Reasons Are Not Required To Wear Seat Belts

PUBLIC 436

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLARK H JACKSON	OTP-AM MAJ ONTP MIN	H-11

Joint Standing Committee on Transportation

This bill allows a driver who for medical reasons cannot wear a seat belt to receive a placard indicating the driver is not required to wear a seat belt.

Committee Amendment "A" (H-11)

This amendment, which is the majority report of the Joint Standing Committee on Transportation, provides that a certificate from a physician, which documents a person's medical condition and the opinion of the physician, is valid for the period designated by the physician and may not exceed one year.

Enacted Law Summary

Public Law 2009, chapter 436 allows a driver who for medical reasons cannot wear a seat belt to receive a placard indicating the driver is not required to wear a seat belt. It also provides that a certificate from a physician, which documents a person's medical condition and the opinion of the physician, is valid for the period designated by the physician and may not exceed one year.

LD 269 An Act To Appropriate Funds To Equip State Trooper Cars with Cages ONTP

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

This bill includes a one-time General Fund appropriation of \$73,950 and a one-time Highway Fund allocation of \$71,050 to equip each state trooper vehicle with a security cage and an ongoing General Fund appropriation of \$15,300 and an ongoing Highway Fund allocation of \$14,700 to move the units from old vehicles to new vehicles.

LD 296 Resolve, To Name the Gorham Bypass RESOLVE 6

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

This resolve names the new Gorham bypass the Bernard P. Rines Bypass.

Enacted Law Summary

Resolve 2009, chapter 6 names the new Gorham bypass the Bernard P. Rines Bypass.

LD 297 An Act To Ensure That Medical Equipment Found in a Repossessed Vehicle Is Returned to the Owner PUBLIC 45

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRAY SHERMAN	OTP-AM	H-26

Joint Standing Committee on Transportation

This bill provides that the lienholder of a repossessed vehicle must return medical equipment found within that vehicle to the owner of the vehicle.

Committee Amendment "A" (H-26)

This amendment, which replaces the bill, provides that if a consumer notifies a debt collector that unsecured property taken with a repossessed vehicle includes a medical device or equipment necessary for health and welfare and that the consumer does not have practicable means to retrieve the medical device or equipment, then the debt collector is required to make arrangements to have the medical device or equipment promptly returned to the consumer if the consumer has made a reasonable request that the medical device or equipment be returned. It also provides that the debt collector can add the cost of returning the medical device or equipment to the consumer's debt.

Enacted Law Summary

Public Law 2009, chapter 45 provides that if a consumer notifies a debt collector that unsecured property taken with a repossessed vehicle includes a medical device or equipment necessary for health and welfare and that the consumer does not have practicable means to retrieve the medical device or equipment, then the debt collector is required to make arrangements to have the medical device or equipment promptly returned to the consumer if the consumer has made a reasonable request that the medical device or equipment be returned. It also provides that the debt collector can add the cost of returning the medical device or equipment to the consumer's debt.

**LD 333 An Act Making Unified Highway Fund and Other Funds Allocations for
the Expenditures of State Government and Changing Certain
Provisions of the Law Necessary to the Proper Operations of State
Government for the Fiscal Years Ending June 30, 2009, June 30, 2010
and June 30, 2011**

**PUBLIC 413
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAZUREK DAMON	OTP-AM MAJ ONTP MIN	H-539 H-582 PIOTTI

Part A makes appropriations and allocations of funds for the 2009-2010 biennium.

Part B makes appropriations and allocations of funds for approved reclassifications and range changes.

Part C recognizes projected additional Personal Services savings in the Statewide Attrition account in the Department of Administrative and Financial Services for Highway Fund departments and agencies statewide from an increase in the attrition rate from 1.6% to 5% for the 2010-2011 biennium. It authorizes the State Budget Officer to transfer funds and adjust the allocations to the affected departments and agencies.

Part D requires the State Budget Officer to calculate the savings in each Highway Fund account for the Executive Branch Departments and Independent Agencies Statewide from not granting a 4% salary increase effective January 1, 2009 to unclassified employees whose salaries are subject to the Governor's adjustment or approval. It authorizes the transfer of the savings by financial order upon approval of the Governor. These transfers are considered adjustments to allocations in fiscal years 2009-10 and 2010-11.

Part E authorizes the Commissioner of Administrative and Financial Services to offer an employee retirement incentive program, designed to encourage employees who are eligible to retire to do so. It requires the State Budget Officer to calculate the savings and transfer the amounts by financial order upon approval of the Governor. It requires that the vacated positions remain vacant from August 1, 2009 to June 30, 2011.

Joint Standing Committee on Transportation

Part F authorizes the Maine Municipal Bond Bank to issue up to \$50,000,000 of GARVEE bonds for transportation projects programmed in fiscal years 2009-10 and 2010-11.

Part G authorizes the State Controller to transfer amounts exceeding \$100,000 from the unallocated balance in the Highway Fund after all commitments to the Highway and Bridge Capital and Maintenance and Operations programs within the Department of Transportation for capital needs.

Part H allows the transfer of Personal Services savings in the Highway and Bridge Capital and Maintenance and Operations programs within the Department of Transportation for capital needs.

Part I requires the Chief Information Officer to review the current organizational structure, systems and operations of information technology units to improve organizational efficiency and cost-effectiveness. It authorizes the Chief Information Officer to manage and operate all information technology systems in the executive branch and to approve all information technology expenditures from a consolidated account. It requires the Chief Information Officer to identify savings and position eliminations to the Highway Fund and other funds from efficiencies. It requires the State Budget Officer to transfer position counts and available balances by financial order upon approval of the Governor to the Office of Information Technology consolidated account for the provision of those services. These transfers are considered adjustments to authorized position count, appropriations and allocations in fiscal years 2009-10 and 2010-11.

Part J transfers the savings to the Highway Fund from changing the Highway Fund and General Fund allocations in the State Police account to the TransCap Trust Fund in accordance with Public Law 2007, chapter 682, section 3.

Part K changes the portion of the employee health insurance premium that is paid by the State. Historically, the State has contributed 100% of the premium cost for each employee. The contribution will be reduced for employees earning at least \$50,000 annually, declining to 95% for employees earning at least \$50,000 but less than \$90,000 yearly, and to 90% for employees earning \$90,000 or more each year. It requires the State Budget Officer to calculate the savings and transfer those amounts by financial order upon approval of the Governor.

Committee Amendment "A" (H-539)

Part A provides appropriations and allocations necessary for the operation of State Government for the fiscal years ending June 30, 2010 and June 30, 2011.

Part B provides appropriations and allocations to provide funding for approved reclassifications and range changes.

Part C recognizes projected additional Personal Services savings in the Statewide Attrition account in the Department of Administrative and Financial Services for Highway Fund departments and agencies statewide from an increase in the attrition rate from 1.6% to 5% for the 2010-2011 biennium. It authorizes the State Budget Officer to transfer funds and adjust the allocations to the affected departments and agencies.

Part D requires the State Budget Officer to calculate the savings in each Highway Fund account for the Executive Branch Departments and Independent Agencies - Statewide account from not granting a 4% salary increase effective January 1, 2009 to unclassified employees whose salaries are subject to the Governor's adjustment or approval. It authorizes the transfer of the savings by financial order upon approval of the Governor. These transfers are considered adjustments to allocations in fiscal years 2009-10 and 2010-11.

Part E requires the State Budget Officer to calculate the savings that have occurred as a result of the retirement incentive program authorized by Public Law 2009, chapter 213, Part Y and transfer the amounts by financial order upon approval of the Governor.

Part F authorizes the Maine Municipal Bond Bank to issue up to \$50,000,000 of GARVEE bonds for transportation

Joint Standing Committee on Transportation

projects programmed in fiscal years 2009-10 and 2010-11.

Part G authorizes the State Controller to transfer amounts exceeding \$100,000 from the unallocated balance in the Highway Fund after all commitments to the Highway and Bridge Capital, Highway and Bridge Light Capital and Maintenance and Operations programs within the Department of Transportation for capital needs.

Part H allows the transfer of Personal Services savings in the Highway and Bridge Capital, Highway and Bridge Light Capital and Maintenance and Operations programs within the Department of Transportation for capital and all other needs.

Part I requires the Chief Information Officer to review the current organizational structure, systems and operations of information technology units to improve organizational efficiency and cost-effectiveness. It authorizes the Chief Information Officer to manage and operate all information technology systems in the executive branch in accordance with a memorandum of agreement with each agency. It authorizes the Chief Information Officer to approve all information technology expenditures from a consolidated account. It requires the Chief Information Officer to identify savings and position eliminations to the Highway Fund and other funds from efficiencies. It requires the State Budget Officer to transfer position counts and available balances by financial order where allowable upon approval of the Governor to the Department of Administrative and Financial Services, Office of Information Technology consolidated account for the provision of those services, such that all the information technology services that are funded by the Highway Fund are reflected in future Highway Fund budgets as Highway Fund allocations. These transfers are considered adjustments to authorized position count, appropriations and allocations in fiscal years 2009-10 and 2010-11. It requires an annual reconciliation between actual services rendered and services budgeted and directs that any savings be returned to the Highway Fund as unallocated surplus. It provides for an annual report to the joint standing committee of the Legislature having jurisdiction over transportation matters and allows an agency to request more frequent reconciliations regarding information technology services specific to that agency.

Part J transfers the savings to the Highway Fund from changing the Highway Fund and General Fund allocations in the State Police account to the TransCap Trust Fund in accordance with Public Law 2007, chapter 682, section 3.

Part K requires the State Budget Officer to calculate the savings achieved from changes made to employee health insurance and transfer those amounts by financial order upon approval of the Governor.

Part L requires that the State Budget Officer calculate the amount of savings that applies against each Highway Fund account for all departments and agencies from savings associated with eliminating merit increases and transfer the amounts by financial order upon the approval of the Governor.

Part M requires the State Budget Officer to calculate the savings achieved from the shutdown of State Government for 10 days in each year of the 2010-2011 biennium.

Part N authorizes the State Controller to transfer \$5,341,830 from the Highway Fund Compensation and Benefit Plan account to the unallocated surplus of the Highway Fund at the close of the fiscal year ending June 30, 2009.

Part O authorizes a decrease in the allocation for the Urban-Rural Initiative Program in fiscal year 2009-10 due to the decrease in the Highway Fund allocation to the Department of Transportation for highway purposes for fiscal year 2008-09.

This Part provides for a reduction in funding to the Urban-Rural Initiative Program of \$5,000,000 in fiscal year 2010-11.

Part P provides that a total of \$104,431 in fiscal year 2009-10 from Highway Fund accounts in the Legislature and the Office of Program Evaluation and Government Accountability lapses to the unallocated surplus of the Highway Fund in fiscal year 2009-10.

Joint Standing Committee on Transportation

Part Q clarifies that the bridge TransCap Trust Fund revenue bonds authorized by Public Law 2007, chapter 647 can be used for the removal or related capital costs of bridges.

This Part permits bond issuers to place limits on the amount of borrowing based on revenue streams and provides that capital projects funded with TransCap revenue bonds have a useful life as long as the bond term.

Part R recognizes savings in the Statewide Salary Adjustment account from implementing a decrease in charges made by the Department of Administrative and Financial Services, Division of Financial and Personnel Services for its services. It authorizes the State Budget Officer to transfer funds and adjust the allocations to the affected departments and agencies.

Part S requires the State Budget Officer to calculate the amount of savings that applies against each Highway Fund account for all departments and agencies from savings associated with eliminating longevity payments and transfer the amounts by financial order upon the approval of the Governor.

Part T authorizes the Department of Transportation, in cooperation with interested parties, to study the highway system classification for the purposes of simplification. The department shall report its results to the Joint Standing Committee on Transportation by January 15, 2010.

Part U makes adjustments to Highway Fund allocations in fiscal year 2008-09.

Part V provides for funding in fiscal year 2009-10 for reimbursement of sand and salt storage facilities to the Town of Trenton and the City of Bath.

Part W amends the gasoline and special fuel tax statutes to apply the gasoline and diesel fuel tax rates to blended fuels containing more than 10% gasoline or less than 90% biodiesel and removes redundant language. It also amends the indexing statute to prevent an inflation index from being less than one.

Part X clarifies that any grants issued from the TransCap Trust Fund must be used for capital projects with a useful life of at least 10 years and that bonds may be used only for capital projects that have an anticipated useful life of at least as long as the bond term. It authorizes the Department of Transportation to request and the Maine Municipal Bond Bank to issue a revenue bond in an amount whereby the resulting annual debt service cost does not exceed \$10,000,000 to be used for highway reconstruction projects with an estimated useful life of 10 years or greater.

House Amendment "D" To Committee Amendment "A" (H-582)

This amendment replaces \$5,000,000 of the Highway Fund allocation for the municipal Urban-Rural Initiative Program with TransCap Trust Fund revenues, and allocates the Highway Funds previously to be used for the Urban-Rural Initiative Program to the Department of Transportation's Highway and Bridge Light Capital program to fund an estimated 135 miles of maintenance paving statewide over 2 years. Pursuant to the Maine Revised Statutes, Title 23, section 1802-A, subsection 1-A and section 1803-B, rural Urban-Rural Initiative Program funds must be used for capital improvements that have a life expectancy of at least 10 years.

The amendment removes the authorization of TransCap Trust Fund revenue bonds in Part X, section 2 and replaces it with the authorization to issue up to \$30,000,000 of TransCap Trust Fund revenue bonds for capital highway projects with an estimated useful life of 10 years or greater. The amendment allocates \$25,000,000 of the bond proceeds for capital projects having a useful life of at least 10 years and \$5,000,000 to eliminate the proposed reduction of municipal Urban-Rural Initiative Program funds in fiscal year 2010-11.

The amendment further ensures that the Department of Transportation may use all funds available in the TransCap Trust Fund for its Highway and Bridge Capital program for projects with an estimated useful life of 10 years or greater.

Joint Standing Committee on Transportation

The amendment also requires the Joint Standing Committee on Transportation to find a solution to fund 600 miles of maintenance surface treatment paving per year without further impacts to the TransCap Trust Fund and to submit a bill to implement the solution.

Enacted Law Summary

Public Law 2009, chapter 413 provides appropriations and allocations necessary for the operation of State Government for the fiscal years ending June 30, 2010 and June 30, 2011. It provides appropriations and allocations to provide funding for approved reclassifications and range changes. It recognizes projected additional Personal Services savings in the Statewide Attrition account in the Department of Administrative and Financial Services for Highway Fund departments and agencies statewide from an increase in the attrition rate from 1.6% to 5% for the 2010-2011 biennium. It authorizes the State Budget Officer to transfer funds and adjust the allocations to the affected departments and agencies.

It requires the State Budget Officer to calculate the savings in each Highway Fund account for the Executive Branch Departments and Independent Agencies - Statewide account from not granting a 4% salary increase effective January 1, 2009 to unclassified employees whose salaries are subject to the Governor's adjustment or approval. It authorizes the transfer of the savings by financial order upon approval of the Governor. These transfers are considered adjustments to allocations in fiscal years 2009-10 and 2010-11.

It requires the State Budget Officer to calculate the savings that have occurred as a result of the retirement incentive program authorized by Public Law 2009, chapter 213, Part Y and transfer the amounts by financial order upon approval of the Governor.

It authorizes the Maine Municipal Bond Bank to issue up to \$50,000,000 of GARVEE bonds for transportation projects programmed in fiscal years 2009-10 and 2010-11.

It authorizes the State Controller to transfer amounts exceeding \$100,000 from the unallocated balance in the Highway Fund after all commitments to the Highway and Bridge Capital, Highway and Bridge Light Capital and Maintenance and Operations programs within the Department of Transportation for capital needs.

It allows the transfer of Personal Services savings in the Highway and Bridge Capital, Highway and Bridge Light Capital and Maintenance and Operations programs within the Department of Transportation for capital and all other needs.

It requires the Chief Information Officer to review the current organizational structure, systems and operations of information technology units to improve organizational efficiency and cost-effectiveness. It authorizes the Chief Information Officer to manage and operate all information technology systems in the executive branch in accordance with a memorandum of agreement with each agency. It authorizes the Chief Information Officer to approve all information technology expenditures from a consolidated account. It requires the Chief Information Officer to identify savings and position eliminations to the Highway Fund and other funds from efficiencies. It requires the State Budget Officer to transfer position counts and available balances by financial order where allowable upon approval of the Governor to the Department of Administrative and Financial Services, Office of Information Technology consolidated account for the provision of those services, such that all the information technology services that are funded by the Highway Fund are reflected in future Highway Fund budgets as Highway Fund allocations. These transfers are considered adjustments to authorized position count, appropriations and allocations in fiscal years 2009-10 and 2010-11. It requires an annual reconciliation between actual services rendered and services budgeted and directs that any savings be returned to the Highway Fund as unallocated surplus. It provides for an annual report to the joint standing committee of the Legislature having jurisdiction over transportation matters and allows an agency to request more frequent reconciliations regarding information technology services specific to that agency.

It transfers the savings to the Highway Fund from changing the Highway Fund and General Fund allocations in the

Joint Standing Committee on Transportation

State Police account to the TransCap Trust Fund in accordance with Public Law 2007, chapter 682, section 3.

It requires the State Budget Officer to calculate the savings achieved from changes made to employee health insurance and transfer those amounts by financial order upon approval of the Governor.

It requires that the State Budget Officer calculate the amount of savings that applies against each Highway Fund account for all departments and agencies from savings associated with eliminating merit increases and transfer the amounts by financial order upon the approval of the Governor.

It requires the State Budget Officer to calculate the savings achieved from the shutdown of State Government for 10 days in each year of the 2010-2011 biennium.

It authorizes the State Controller to transfer \$5,341,830 from the Highway Fund Compensation and Benefit Plan account to the unallocated surplus of the Highway Fund at the close of the fiscal year ending June 30, 2009.

It provides that a total of \$104,431 in fiscal year 2009-10 from Highway Fund accounts in the Legislature and the Office of Program Evaluation and Government Accountability lapses to the unallocated surplus of the Highway Fund in fiscal year 2009-10.

It clarifies that the bridge TransCap Trust Fund revenue bonds authorized by Public Law 2007, chapter 647 can be used for the removal or related capital costs of bridges. It also permits bond issuers to place limits on the amount of borrowing based on revenue streams and provides that capital projects funded with TransCap revenue bonds have a useful life as long as the bond term.

It recognizes savings in the Statewide Salary Adjustment account from implementing a decrease in charges made by the Department of Administrative and Financial Services, Division of Financial and Personnel Services for its services. It authorizes the State Budget Officer to transfer funds and adjust the allocations to the affected departments and agencies.

It requires the State Budget Officer to calculate the amount of savings that applies against each Highway Fund account for all departments and agencies from savings associated with eliminating longevity payments and transfer the amounts by financial order upon the approval of the Governor.

It authorizes the Department of Transportation, in cooperation with interested parties, to study the highway system classification for the purposes of simplification. The department shall report its results to the Joint Standing Committee on Transportation by January 15, 2010.

It makes adjustments to Highway Fund allocations in fiscal year 2008-09.

It provides for funding in fiscal year 2009-10 for reimbursement of sand and salt storage facilities to the Town of Trenton and the City of Bath.

It amends the gasoline and special fuel tax statutes to apply the gasoline and diesel fuel tax rates to blended fuels containing more than 10% gasoline or less than 90% biodiesel and removes redundant language. It also amends the indexing statute to prevent an inflation index from being less than one.

The law replaces \$5,000,000 of the Highway Fund allocation for the municipal Urban-Rural Initiative Program with TransCap Trust Fund revenues, and allocates the Highway Funds previously to be used for the Urban-Rural Initiative Program to the Department of Transportation's Highway and Bridge Light Capital program to fund an estimated 135 miles of maintenance paving statewide over 2 years. Pursuant to the Maine Revised Statutes, Title 23, section 1802-A, subsection 1-A and section 1803-B, rural Urban-Rural Initiative Program funds must be used for capital improvements that have a life expectancy of at least 10 years.

Joint Standing Committee on Transportation

The law authorizes the issuance of up to \$30,000,000 of TransCap Trust Fund revenue bonds for capital highway projects with an estimated useful life of 10 years or greater. It allocates \$25,000,000 of the bond proceeds for capital projects having a useful life of at least 10 years and \$5,000,000 to eliminate the proposed reduction of municipal Urban-Rural Initiative Program funds in fiscal year 2010-11.

The law further ensures that the Department of Transportation may use all funds available in the TransCap Trust Fund for its Highway and Bridge Capital program for projects with an estimated useful life of 10 years or greater.

It also requires the Joint Standing Committee on Transportation to find a solution to fund 600 miles of maintenance surface treatment paving per year without further impacts to the TransCap Trust Fund and to submit a bill to implement the solution.

Public Law 2009, chapter 413 was enacted as an emergency measure effective June 16, 2009.

LD 338 An Act To Improve the Visibility of Automobiles ONTP

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

This bill requires that a motor vehicle's headlights must be on during atmospheric conditions unfavorable to visibility.

LD 343 An Act To Establish a Specialty License Plate To Increase Funding for Autism Programs ONTP

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

This bill establishes a specialty license plate to increase funding for autism programs.

LD 356 An Act To Increase the Safety of Automobile Drivers ACCEPTED ONTP REPORT

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

This bill requires an operator of a vehicle to be properly secured in the operator's seat belt instead of simply secured. This requires the chest strap to be used by operators in addition to the lap belt.

Joint Standing Committee on Transportation

Committee Amendment "A" (S-11)

This amendment incorporates a fiscal note.

LD 383 An Act To Ensure That All Toll and Intermodal Transportation Facilities and Roadway Lighting within the Maine Turnpike Corridor Are Consistent with Maine's Quality of Place Goals **ONTP**

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

This bill provides that all contracts and agreements relating to the construction or reconstruction of toll facilities and intermodal transportation facilities and to the replacement or installation of permanent outdoor luminaires within the Maine Turnpike corridor must be certified by the Executive Department, State Planning Office as meeting quality of place goals as established by the State Planning Office by rule.

LD 386 An Act To Establish a Process for the Determination of a Reasonable Price in the Use of Eminent Domain by the Maine Turnpike Authority **ACCEPTED ONTP REPORT**

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

This bill requires that, when taking property by eminent domain, the Maine Turnpike Authority determine the fair market value of property or interests to be one of the following, whichever yields the highest value:

1. The average fair market value of the property or interests over the previous 5 years;
2. The average fair market value of the property or interests over the previous 10 years; or
3. The average fair market value of the property or interests over the previous number of years equal to the number of years between the previous 2 municipal property valuations for property tax purposes.

The bill also provides that the Maine Turnpike Authority may not acquire by eminent domain any property or interests unless the authority publicly documents that no other site or design is consistent with public convenience and necessity. The bill also provides that the Maine Turnpike Authority may not use the cost of a site or design as a factor when determining whether a site or design is consistent with public convenience and necessity.

Committee Amendment "A" (H-67)

This amendment incorporates a fiscal note.

Joint Standing Committee on Transportation

LD 388 An Act To Ensure That Fair and Actual Funds from Maine Turnpike Authority Toll Receipts Be Given to the Department of Transportation Annually **ONTP**

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

This bill requires that the Maine Turnpike Authority submit to an annual audit by the State Auditor to determine compliance with the law governing the use of turnpike revenues.

LD 412 An Act To Create an Animal Welfare Trailer License Plate **ONTP**

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

This bill establishes a specialty license plate for trailers to support animal welfare. The registration and renewal fees would support the Animal Welfare Fund, which helps support the expenses of furnishing animal license blanks, stickers and tags, travel expenses and salaries for animal welfare personnel, costs and payments to animal shelters and other expenses necessary in the administration of the laws concerning animal welfare.

LD 432 An Act To Ensure That the Maine Turnpike Authority Conducts Public Hearings for Construction and Reconstruction Projects and That All Public Records of the Maine Turnpike Authority Are Open for Inspection **ONTP**

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

This bill provides that all public records, as defined in Maine's freedom of access laws, of the Maine Turnpike Authority must be open for public inspection.

The bill also directs the Maine Turnpike Authority to conduct public hearings that give municipalities and other political subdivisions of the State and members of the public notice of and opportunity to comment on transportation planning, capital investment and project decisions prior to any construction or reconstruction project on the turnpike.

Joint Standing Committee on Transportation

LD 435 Resolve, Directing the Department of Transportation To Install a Traffic Light at an Intersection in Sabattus

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOSTIE NUTTING J	ONTP	

This resolve directs the Department of Transportation to install a traffic signal at the intersection of Route 132 and Route 126 where they connect to Pleasant Hill Road in the Town of Sabattus.

LD 436 An Act To Include Trucks in the Definition of "Low-speed Vehicle"

PUBLIC 42

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THERIAULT JACKSON	OTP-AM	H-24

This bill amends the definition of "low-speed vehicle" to mean a 4-wheeled motor vehicle so that it includes trucks as well as automobiles. This bill removes language regarding ATVs, since the definition of "motor vehicle" already excludes ATVs.

Committee Amendment "A" (H-24)

This amendment retains language regarding ATVs to clarify that low-speed vehicles do not include ATVs. This amendment also increases the weight limit for low-speed vehicles to the maximum permitted by federal rule.

Enacted Law Summary

Public Law 2009, chapter 42 amends the definition of "low-speed vehicle" to mean a 4-wheeled motor vehicle so that it includes trucks as well as automobiles. It also increases the weight limit for low-speed vehicles to the maximum permitted by federal rule.

LD 437 An Act To Require a Person under 18 Years of Age To Wear a Helmet While on a Motorcycle

PUBLIC 50

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

This bill changes the age under which a motorcycle operator or passenger is required to wear protective headgear from under 15 years of age to under 18 years of age. This change would bring the headgear requirements for motorcycle operators or passengers into conformity with the headgear requirements for snowmobile operators or passengers on trails funded by the Snowmobile Trail Fund and ATV operators or passengers.

Enacted Law Summary

Public Law 2009, chapter 50 changes the age under which a motorcycle operator or passenger is required to wear

Joint Standing Committee on Transportation

protective headgear from under 15 years of age to under 18 years of age. This change brings the headgear requirements for motorcycle operators or passengers into conformity with the headgear requirements for snowmobile operators or passengers on trails funded by the Snowmobile Trail Fund and ATV operators or passengers.

LD 451 An Act To Clarify the Law Regarding Reinstatement of a Driver's License

PUBLIC 58

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRIGGS BRYANT B	OTP-AM	H-38

This bill requires that upon the suspension of a driver's license, the court or the Secretary of State inform the driver that the license will be reinstated only upon payment of the reinstatement fee.

Committee Amendment "A" (H-38)

This amendment, which replaces the bill, excludes a conviction for "operating after suspension" as an offense used to define "habitual offender" when the suspension upon which the conviction is predicated is based solely on failure to pay a reinstatement fee.

Enacted Law Summary

Public Law 2009, chapter 58 excludes a conviction for "operating after suspension" as an offense used to define "habitual offender" when the suspension upon which the conviction is predicated is based solely on failure to pay a reinstatement fee.

LD 452 An Act To Include the Town of Falmouth as a Member of the Greater Portland Transit District

**PUBLIC 18
EMERGENCY**

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

This bill includes the Town of Falmouth as a member of the Greater Portland Transit District. The bill authorizes other municipalities located wholly or partially in the Portland Area Comprehensive Transportation System to apply and be accepted for membership in the Greater Portland Transit District. The bill also authorizes the representation of those municipalities on the board of directors of the Greater Portland Transit District to be determined by mutual agreement between the municipality and the board of directors of the Greater Portland Transit District. The bill also defines "Portland Area Comprehensive Transportation System."

Enacted Law Summary

Public Law 2009, chapter 18 includes the Town of Falmouth as a member of the Greater Portland Transit District. It authorizes other municipalities located wholly or partially in the Portland Area Comprehensive Transportation System to apply and be accepted for membership in the Greater Portland Transit District. It also authorizes the representation of those municipalities on the board of directors of the Greater Portland Transit District to be determined by mutual agreement between the municipality and the board of directors of the Greater Portland Transit District. The law also defines "Portland Area Comprehensive Transportation System."

Public Law 2009, chapter 18 was enacted as an emergency measure effective April 3, 2009.

Joint Standing Committee on Transportation

LD 453 An Act To Require Motorcyclists To Wear Helmets

**ACCEPTED ONTP
REPORT**

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

This bill makes statutory changes to require operators and passengers of motorcycles on public ways to wear protective helmets. This bill also corrects cross-references.

Committee Amendment "A" (H-297)

This amendment adds an appropriations and allocations section.

**LD 485 An Act To Allow Public-private Investment in Transportation
Infrastructure Projects**

ONTP

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

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

This bill authorizes the Department of Transportation to pursue public-private partnerships for the construction of certain transportation facilities. The bill establishes a process for entering into a public-private agreement and authorizes both solicited and unsolicited proposals for public-private partnerships for the construction of infrastructure projects, including highways and bridges. Finally, the bill provides that infrastructure projects must have the concurrence of the department and be consistent with the Sensible Transportation Policy Act.

**LD 486 An Act To Make Allocations from Maine Turnpike Authority Funds for
the Maine Turnpike Authority for the Calendar Year Ending December
31, 2010**

P & S 16

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM MAJ OTP-AM MIN	H-109

This bill 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, 2010 in accordance with the requirements of the Maine Revised Statutes, Title 23, section 1961, subsection 6.

Committee Amendment "B" (H-110)

Effective February 1, 2009, the Maine Turnpike Authority increased turnpike toll rates, raising \$20,100,000 in revenue for the authority's operating expenses. This amendment, which is the minority report, directs the Maine

Joint Standing Committee on Transportation

Turnpike Authority to roll back the toll increase of February 1, 2009 and decreases the Maine Turnpike Authority's operating budget by \$20,100,000. The amendment makes allocations from Maine Turnpike Authority funds of \$24,536,751 for the authority's operating expenses for the calendar year ending December 31, 2010.

Committee Amendment "A" (H-109)

This amendment, which is the majority report of the committee, incorporates a fiscal note.

Enacted Law Summary

Private and Special Law 2009, chapter 16 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, 2010 in accordance with the requirements of the Maine Revised Statutes, Title 23, section 1961, subsection 6.

LD 513 An Act To Update the Casco Bay Island Transit District Enabling Law

P & S 3

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

This bill amends the charter of the Casco Bay Island Transit District by giving the district authority to provide support services, such as parking for inhabitants of the islands comprising the district as well as other passengers served by the district. This bill also clarifies that the director from the Town of Chebeague Island must be a resident or property owner, the same as any of the others directors.

Enacted Law Summary

Private and Special Law 2009, chapter 3 amends the charter of the Casco Bay Island Transit District by giving the district authority to provide support services, such as parking for inhabitants of the islands comprising the district as well as other passengers served by the district. It also clarifies that the director from the Town of Chebeague Island must be a resident or property owner, the same as any of the others directors.

LD 537 Resolve, To Return Two-thirds of the Purchase Cost of Sears Island to the People of Maine

DIED BETWEEN HOUSES

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

This resolve directs the Department of Administrative and Financial Services, Bureau of Revenue Services to rebate 2/3 of either the amount of state funds used to purchase 931 acres on Sears Island or the current market value of the 931-acre state-owned portion of Sears Island, whichever is higher, to taxpayers who are residents of the State.

Joint Standing Committee on Transportation

LD 541 Resolve, Regarding the Retention of Dealer Plates in Light of Recent Economic Conditions

**RESOLVE 14
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROWNE GOOLEY	OTP-AM	H-10

This resolve places a moratorium from February 1, 2009 to August 31, 2010 on reducing the number of dealer plates a motor vehicle dealer may have based on a failure to make minimum sales requirements.

Committee Amendment "A" (H-10)

This amendment places a moratorium from February 1, 2009 to August 31, 2010 on denial of a renewal of a dealer's license solely because the dealer failed to meet minimum sales requirements. The amendment also adds an emergency preamble and emergency clause to the resolve.

Enacted Law Summary

Resolve 2009, chapter 14 places a moratorium from February 1, 2009 to August 31, 2010 on denial of a renewal of a dealer's license solely because the dealer failed to meet minimum sales requirements.

Resolve 2009, chapter 14 was enacted as an emergency measure effective April 21, 2009.

LD 542 An Act Pertaining to the TransCap Trust Fund in the Maine Municipal Bond Bank

ONTP

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

This bill:

1. Eliminates a reference to a section of law that does not exist and cites within the TransCap Trust Fund statute the correct sections that concern the transfer by the Treasurer of State of certain fees to the fund; and
2. Clarifies that any grants issued from the fund must be used for capital projects with a useful life of at least 15 years.

LD 554 Resolve, To Allow the Department of Transportation To Transfer Certain Land to the Greater Grand Isle Historical Society

RESOLVE 9

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
AYOTTE JACKSON	OTP-AM	H-9

Joint Standing Committee on Transportation

This resolve authorizes the transfer of certain land to the Greater Grand Isle Historical Society.

Committee Amendment "A" (H-9)

This amendment authorizes the Governor, upon recommendation of the Commissioner of Transportation, to transfer certain land to the Greater Grand Isle Historical Society. The resolve directed the Commissioner of Transportation to make that transfer.

Enacted Law Summary

Resolve 2009, chapter 9 authorizes the Governor, upon recommendation of the Commissioner of Transportation, to transfer certain land to the Greater Grand Isle Historical Society. It also directs the Commissioner of Transportation to make that transfer.

LD 592 An Act To Increase Mandatory Minimum Insurance Requirements for Vehicles for Hire ONTP

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

This bill increases the required minimum insurance coverage for vehicles for hire, including emergency vehicles and rental vehicles.

LD 593 Resolve, To Require the Department of Transportation To Improve the Safety of the Intersection of Route 4 and the Dill Road in the Town of Phillips ONTP

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

This resolve requires the Department of Transportation to take whatever steps are necessary to make the intersection of Route 4 and the Dill Road in the Town of Phillips safer.

LD 602 An Act To Permit Wrecker Services To Charge for Storage while a Vehicle Is under an Order of Impoundment ONTP

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

This bill permits wrecker services to charge for storage while a vehicle is under an order of impoundment.

Joint Standing Committee on Transportation

LD 648 An Act To Allow the Operation of Low-speed Vehicles on Higher-speed Roads **ONTP**

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

This bill allows a low-speed vehicle to be operated on a road or street with a maximum posted speed limit of 45 miles per hour, instead of the present limit of 35 miles per hour. This bill also repeals the ability of the Department of Transportation to prohibit the operation of low-speed vehicles on a highway in the interest of public safety.

LD 649 An Act To Reimburse Communities That Have Constructed Sand and Salt Sheds Rated Priority 3 and 4 **ONTP**

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

This bill allocates \$1,275,500 from the Highway Fund for the purpose of providing funds to municipalities for the construction of Priority 3 and Priority 4 sand and salt sheds.

LD 661 Resolve, To Provide Equitable Tolls on the Maine Turnpike **ONTP**

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

This resolve requires the Maine Turnpike Authority, beginning January 1, 2010, to implement a method of toll collecting that levies a standard and equal cost per mile for the miles driven on the Maine Turnpike by drivers using a commuter pass, also known as an E-Z Pass. Failure to do so will result in the rollback of turnpike tolls to the schedules used in fiscal year 2007-08, which must remain in effect until such time as the Maine Turnpike Authority demonstrates to the joint standing committee of the Legislature having jurisdiction over transportation matters that the standard and equal cost per mile driven rate for drivers using a commuter pass has been implemented.

LD 664 Resolve, Directing the Department of Transportation and the Maine Turnpike Authority To Find Efficiencies in the Maine Transportation System **ONTP**

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

Joint Standing Committee on Transportation

This resolve directs the Department of Transportation to conduct a transportation study, with assistance from the Maine Turnpike Authority, that will review operations of the Maine Turnpike Authority and compare its costs with the costs of the Department of Transportation, report on the positive and negative aspects of consolidating the Maine Turnpike Authority with the Department of Transportation, report on the positive and negative aspects of privatization of the Maine Turnpike Authority and report on the availability of new funding sources, such as GARVEE bonds through the Maine Municipal Bond Bank and federal grants. This resolve directs the department to submit a report with suggested legislation to the Joint Standing Committee on Transportation. The joint standing committee is authorized to submit legislation to the Second Regular Session of the 124th Legislature.

LD 665 An Act To Enhance Safety on Maine's Bridges

ONTP

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

This bill prohibits a pedestrian from loitering or remaining, without right, on a bridge that has no sidewalk. A person who violates the prohibition commits a civil violation for which a fine of not less than \$75 and not more than \$100 may be adjudged for the first violation, a fine of not less than \$100 and not more than \$500 may be adjudged for a 2nd violation and a fine of not less than \$500 and not more than \$1,000 may be adjudged for a 3rd or subsequent violation. This prohibition is modeled in part on a similar provision for railroad track and railroad bridge safety.

LD 706 An Act To Impose a Maximum Speed Limit of 45 Miles Per Hour on Roads on Which a School Bus Stop Is Located

ONTP

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

This bill imposes a maximum speed limit of 45 miles per hour on a public way on which a school bus stop is located and allows a municipality to petition to exempt a portion of that public way from the speed limit upon a showing that there is no school bus stop located in that portion and the portion is an appropriately safe distance from the nearest school bus stop.

LD 707 An Act To Settle a Dispute between Andrea LaPointe and Michael Barden and the State

ONTP

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

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

This bill proposes to require the Department of Transportation to enter into an agreement with Andrea LaPointe and Michael Barden, owners of 10 Academy Street in Hallowell. The agreement must include the following terms:

Joint Standing Committee on Transportation

1. The Department of Transportation shall move its fence at 10 Academy Street in Hallowell 4 feet closer to the adjacent railroad tracks than the present position of the fence;
2. Andrea LaPointe and Michael Barden may have access to the area between the house at 10 Academy Street and the Department of Transportation fence only for purposes of maintenance on the house;
3. Andrea LaPointe and Michael Barden will amend the homeowner's insurance policy on the house at 10 Academy Street to conform to reasonable Department of Transportation specifications;
4. Andrea LaPointe and Michael Barden may lower the Department of Transportation fence at 10 Academy Street at their own expense;
5. Andrea LaPointe and Michael Barden may not park any vehicles in the area between the driveway at 10 Academy Street and the railroad tracks; and
6. The agreement may not be used as evidence in a subsequent legal hearing and does not allocate any rights between the parties concerning ownership or property or create an easement.

**LD 736 Resolve, Directing the Department of Transportation To Secure
Funding To Complete the Aroostook North-South Highway Project**

RESOLVE 139

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON	OTP-AM	H-575 MARTIN J L S-60

This resolve directs the Department of Transportation to request all available federal funding included in the American Recovery and Reinvestment Act of 2009 or any successor or substantially similar legislation enacted by Congress for the purpose of extending and completing Interstate 95.

Committee Amendment "A" (S-60)

This amendment, which replaces the resolve, directs the Department of Transportation to secure full funding to complete the Aroostook North-South Highway project beginning with segments in Caribou and Presque Isle through all available funding options, including federal funding through stimulus legislation and the reauthorization of federal surface transportation legislation, bonds, Highway Fund allocations and public-private partnerships.

House Amendment "B" To Committee Amendment "A" (H-575)

This amendment removes the emergency preamble and emergency clause from the committee amendment. This amendment also removes the requirement that the Department of Transportation secure full funding to complete the Aroostook North-South Highway and instead requires the department to secure funding for the projects listed as "significant new capacity projects of all modes and extraordinary bridge replacement, removal or rehabilitation projects" in Public Law 2007, chapter 470, which includes the Aroostook North-South Highway.

Enacted Law Summary

Resolve 2009, chapter 139 directs the Department of Transportation to secure funding for the projects listed as "significant new capacity projects of all modes and extraordinary bridge replacement, removal or rehabilitation projects" in Public Law 2007, chapter 470, which includes the Aroostook North-South Highway.

Joint Standing Committee on Transportation

LD 745 An Act To Allow the Operation of Modified Utility Vehicles on Public Ways

**ACCEPTED ONTP
REPORT**

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

This bill allows a modified utility vehicle, commonly known as a utility vehicle, recreational utility vehicle or multipurpose utility vehicle, to be registered and operated in Maine with certain limitations.

A modified utility vehicle that meets specified equipment requirements may be operated on Maine roads with a posted speed limit of 45 miles per hour or less. Due to its modifications, a modified utility vehicle is not an ATV or off-road vehicle. Like a low-speed vehicle, a modified utility vehicle is exempt from inspection requirements and is registered by application to the Secretary of State, which application must be accompanied by proof of ownership, proof of financial responsibility and proof of payment of excise tax.

In order to avoid the cost of printing a new registration plate specifically for modified utility vehicles, a modified utility vehicle is issued a motorcycle registration plate.

Committee Amendment "A" (S-80)

This amendment, which is the minority report of the Joint Standing Committee on Transportation, clarifies the definition of "modified utility vehicle" and provides that a modified utility vehicle may be a modified all-terrain or off-road vehicle.

LD 767 An Act To Promote Fairness and Protect Economic Development in Transportation Projects Undertaken by the State

PUBLIC 454

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAMON	OTP-AM	S-213

This bill provides a mechanism for a property owner to sell land to the State that has been identified in a transportation planning process as likely to be taken in a pending eminent domain proceeding.

Committee Amendment "A" (S-213)

This amendment provides that if the Department of Transportation is preparing an environmental impact statement as required by the federal National Environmental Protection Act of 1969 for permitting for the location of a new bypass highway project, and property will be affected by the limits of the final bypass right-of-way, and the property owner submits a request in writing that the department acquire that portion of property determined necessary for the new bypass highway project, the department is directed to acquire that property if the following 2 conditions are met. First, the department must have received a least environmentally damaging practicable alternative determination from the United States Army Corps of Engineers that will be incorporated into the environmental impact statement for corridor alignment indicating that certain property will be necessary. Secondly, the fair market value must be determined according to current law under the laws governing the State Claims Commission.

The amendment further directs the department to acquire affected properties within 2 years from the date of issuance

Joint Standing Committee on Transportation

of the least environmentally damaging practicable alternative determination from the United States Army Corps of Engineers. The amendment provides that if funding for the new bypass highway project is not available or if state or federal regulations preclude the department from acquiring real property, the department may extend the time period for acquisition of affected properties up to 2 years. Any extension must be submitted to the joint standing committee of the Legislature having jurisdiction over transportation matters for its review and comment.

Enacted Law Summary

Public Law 2009, chapter 454 provides that if the Department of Transportation is preparing an environmental impact statement as required by the federal National Environmental Protection Act of 1969 for permitting for the location of a new bypass highway project, and property will be affected by the limits of the final bypass right-of-way, and the property owner submits a request in writing that the department acquire that portion of property determined necessary for the new bypass highway project, the department is directed to acquire that property if the following 2 conditions are met. First, the department must have received a least environmentally damaging practicable alternative determination from the United States Army Corps of Engineers that will be incorporated into the environmental impact statement for corridor alignment indicating that certain property will be necessary. Secondly, the fair market value must be determined according to current law under the laws governing the State Claims Commission.

The law further directs the department to acquire affected properties within 2 years from the date of issuance of the least environmentally damaging practicable alternative determination from the United States Army Corps of Engineers. The law provides that if funding for the new bypass highway project is not available or if state or federal regulations preclude the department from acquiring real property, the department may extend the time period for acquisition of affected properties up to 2 years. Any extension must be submitted to the joint standing committee of the Legislature having jurisdiction over transportation matters for its review and comment.

LD 798 Resolve, Requiring the Department of Transportation To Replace All Property Markers along the 85-mile Stretch of the Calais Branch Corridor from Washington Junction to Ayers Junction **LEAVE TO WITHDRAW**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LANGLEY DAMON	LTW	

This resolve requires the Department of Transportation to replace all of the property markers defining the property lines of both the former railroad property and the adjoining landowners that have been destroyed as a result of the multiuse recreational trail project currently underway and sometimes referred to as the Calais Branch Corridor Rehabilitation Project.

LD 843 Resolve, To Designate the Great South Bridge in the Town of Milbridge as the Harold West Bridge **RESOLVE 17**

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

This resolve directs the Department of Transportation to designate the Great South Bridge in the Town of Milbridge as the Harold West Bridge to honor a town citizen.

Joint Standing Committee on Transportation

Enacted Law Summary

Resolve 2009, chapter 17 directs the Department of Transportation to designate the Great South Bridge in the Town of Milbridge as the Harold West Bridge to honor a town citizen.

LD 846 Resolve, Directing the Department of Transportation To Study Ways To Reduce Energy Use and Promote Efficiency along Major Transportation Corridors RESOLVE 42

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

This resolve directs the Department of Transportation to study ways to reduce energy use and promote efficiency along major transportation corridors.

Enacted Law Summary

Resolve 2009, chapter 42 directs the Department of Transportation to study ways to reduce energy use and promote efficiency along major transportation corridors.

LD 862 An Act To Improve the Health of Maine Citizens and Safety of Pedestrians PUBLIC 91

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

This bill requires the operator of a motor vehicle, when passing a pedestrian on a public way, to provide that pedestrian with at least 3 feet of clearance and allows the operator to pass the pedestrian when it is safe to do so, even in a no-passing zone. This bill is based on the current law regarding the requirements for passing a bicycle on a public way.

Enacted Law Summary

Public Law 2009, chapter 91 requires the operator of a motor vehicle, when passing a pedestrian on a public way, to provide that pedestrian with at least 3 feet of clearance and allows the operator to pass the pedestrian when it is safe to do so, even in a no-passing zone. This law is based on the recently enacted law regarding the requirements for passing a bicycle on a public way.

LD 873 An Act To Improve Wheelchair-dependent Parking Access ONTP

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

Joint Standing Committee on Transportation

This bill prohibits a person who possesses a disability registration plate or removable windshield placard from parking in a van accessible disability parking space as described under 28 Code of Federal Regulations, Part 36, Appendix A, Standards for Accessible Design, Section 4.1.2(5). This provision does not apply if the parking lot has only one designated disability parking space.

LD 874 An Act To Amend the Laws Governing Axle Weights

PUBLIC 442

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THOMAS JACKSON	OTP-AM	H-223

This bill provides that if a vehicle that exceeds the axle weight limits and axle weight tolerance restrictions imposed under state law is within the maximum gross vehicle weight, the applicable fine must be reduced by 50%. This bill also amends existing law regarding the reduction of fines following the successful redistribution of loads to bring vehicles into compliance with axle limits.

Committee Amendment "A" (H-223)

This amendment provides that if a vehicle that exceeds the axle weight limits and axle weight tolerance restrictions imposed under state law by less than 5,000 pounds is within the maximum gross vehicle weight, the applicable fine must be reduced by 50%. The amendment also clarifies that this provision does not apply to vehicles traveling on the Interstate Highway System except for that portion of Interstate 95 designated as the Maine Turnpike.

Enacted Law Summary

Public Law 2009, chapter 442 provides that if a vehicle that exceeds the axle weight limits and axle weight tolerance restrictions imposed under state law by less than 5,000 pounds is within the maximum gross vehicle weight, the applicable fine must be reduced by 50%. It also clarifies that this provision does not apply to vehicles traveling on the Interstate Highway System except for that portion of Interstate 95 designated as the Maine Turnpike.

**LD 875 An Act To Promote Fuel Conservation by Allowing the Use of
Mini-trucks on Public Ways**

**ACCEPTED ONTP
REPORT**

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

This bill permits mini-trucks to be operated on public ways, but only within 100 miles of the address at which the mini-truck is registered. The mini-truck, a 4-wheeled motor vehicle with a maximum speed of 60 miles per hour and a maximum weight of 2,000 pounds, must be registered and meet the same inspection standards as other motor vehicles in order to be operated on a public way.

Joint Standing Committee on Transportation

**LD 878 An Act To Change the Status of the Road System at the Loring
Development Authority**

**ACCEPTED ONTP
REPORT**

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

This bill allows the Loring Development Authority to enter into service contracts and to participate in the Rural Road Initiative with the Department of Transportation.

Committee Amendment "A" (H-140)

This amendment, which is the minority report of the Joint Standing Committee on Transportation, clarifies that the Loring Development Authority may participate in the Urban-Rural Initiative Program with the Department of Transportation and that the authority's eligibility is not contingent upon acceptance of its roads as town ways by the Town of Limestone.

LD 907 An Act To Amend the Speed Limits for Low-speed Vehicles

**ACCEPTED ONTP
REPORT**

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

This bill amends the law regarding low-speed vehicles.

1. It increases the minimum and maximum speeds for low-speed vehicles to 30 and 35 miles per hour, respectively. It also eliminates a cross-reference to the federal regulations concerning low-speed vehicles since under those regulations the maximum attainable speed is 25 miles per hour.
2. It allows low-speed vehicles to be operated on streets or roads having a maximum posted speed limit of 45 miles per hour, instead of the current limit of 35 miles per hour.
3. It requires the operator of a low-speed vehicle to move to the side of the road, when it is safe and practicable to do so, to allow a line of 7 or more vehicles directly behind the low-speed vehicle to pass.

LD 920 An Act To Reduce Noise Pollution

ONTP

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

Joint Standing Committee on Transportation

This bill establishes maximum allowable noise level standards for motorcycle mufflers and exhaust systems. The bill also provides that a person who violates noise level standards may be subject to a fine of \$250 unless the person brings the motorcycle into compliance within 14 days after the citation.

LD 951 An Act Relating to the TransCap Trust Fund

**PUBLIC 411
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAZUREK DIAMOND	OTP-AM	H-123

Current law requires, beginning July 1, 2009, that 7.5% of the net excise tax imposed on internal combustion engine fuel be deposited in the TransCap Trust Fund, the purpose of which is to provide financial assistance for the planning, design, acquisition, reconstruction and rehabilitation of transportation capital improvements. This bill requires that at least 20%, but no more than 35%, of the revenue be allocated for capital improvements to bridges and the balance to highways and prioritizes the use of the funds for the highway capital improvements.

Committee Amendment "A" (H-123)

This amendment clarifies that any grants issued from the TransCap Trust Fund must be used for capital projects with a useful life of at least 10 years and that bonds may be used only for capital projects that have an anticipated useful life of at least as long as the bond term. The amendment also corrects cross-references regarding the transfer of certain fees to the TransCap Trust Fund.

Enacted Law Summary

Public Law 2009, chapter 411 clarifies that any grants issued from the TransCap Trust Fund must be used for capital projects with a useful life of at least 10 years and that bonds may be used only for capital projects that have an anticipated useful life of at least as long as the bond term. The law also corrects cross-references regarding the transfer of certain fees to the TransCap Trust Fund.

Public Law 2009, chapter 411 was enacted as an emergency measure effective June 16, 2009.

LD 952 An Act Relating to Disability Plates and Placards

PUBLIC 143

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRAFTS	OTP-AM	H-141

This bill allows a permanently disabled person to submit proof of the permanent disability once instead of the current requirement of having to submit a new form every 4 years. It also makes a 2nd or subsequent violation of the law against misusing a disability plate or placard a Class E crime, with the potential for doubled fines.

Committee Amendment "A" (H-141)

This amendment allows a person to request that the person's disability parking plate or placard expire at the same time as the person's driver's license or nondriver identification card.

Enacted Law Summary

Joint Standing Committee on Transportation

Public Law 2009, chapter 143 allows a permanently disabled person to request that the person's disability parking plate or placard expire at the same time as the person's driver's license or nondriver identification card.

LD 967 An Act To Implement the Recommendations of the Governor's Interagency Transportation Coordinating Committee PUBLIC 130

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

This bill establishes in statute the Interagency Transportation Coordinating Committee, which provides oversight and promotes efficiency, cooperative effort and strategic planning for public transportation between the Department of Transportation, the Department of Labor and the Department of Health and Human Services.

Enacted Law Summary

Public Law 2009, chapter 130 establishes in statute the Interagency Transportation Coordinating Committee, which provides oversight and promotes efficiency, cooperative effort and strategic planning for public transportation between the Department of Transportation, the Department of Labor and the Department of Health and Human Services.

LD 992 An Act To Increase Highway Safety by Requiring Daytime Headlight Use ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CORNELL DU HOUX GERZOFSKY	ONTP	

This bill requires that the driver of a motor vehicle manufactured after 2010 use headlights any time the motor vehicle is operated on a way. The bill also adds a provision allowing enforcement of the mandatory headlights provision only when a vehicle is stopped for a suspected violation of another law.

LD 1043 Resolve, To Establish a Blue Ribbon Commission To Study On-ramp Speed Limits ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLARK H BRYANT B	ONTP	

This resolve establishes a blue ribbon commission to study highway on-ramp usage and determine the best methods for eliminating speeding on on-ramps and promoting proper vehicle yielding on highways.

Joint Standing Committee on Transportation

LD 1094 Resolve, To Study Safety Measures Relating to Open Trenches and Excavations

RESOLVE 70

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CONNOR	OTP-AM	H-269

This bill requires an excavator to mark and erect a barrier or other safeguard around an unattended excavation to prevent a person, animal or motor vehicle from unintentionally falling into the excavation.

Committee Amendment "A" (H-269)

The amendment, which replaces the bill, directs the Department of Transportation, in conjunction with the Department of Public Safety, to establish a working group to examine issues relating to unattended trenches and excavations on both public and private property. The working group is required to submit a report to the Joint Standing Committee on Transportation no later than the first business day in February 2010. The Joint Standing Committee on Transportation may report out a bill to the Second Regular Session of the 124th Legislature concerning the subject matter of this resolve.

Enacted Law Summary

Resolve 2009, chapter 70 directs the Department of Transportation, in conjunction with the Department of Public Safety, to establish a working group to examine issues relating to unattended trenches and excavations on both public and private property. The working group is required to submit a report to the Joint Standing Committee on Transportation no later than the first business day in February 2010. The Joint Standing Committee on Transportation may report out a bill to the Second Regular Session of the 124th Legislature concerning the subject matter of this resolve.

LD 1123 An Act To Improve the Safety of Minors by Collecting Data on Vehicle Collision Rates

ONTP

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

This bill requires the Department of the Secretary of State to collect data regarding the motor vehicle collisions involving students taught by driver education schools and driver education instructors. The department shall gather the data and publish a list of the collision rates by October 1st of each year.

LD 1131 An Act To Clarify the Law Regarding the Passing of School Buses by Bicyclists

PUBLIC 212

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

Joint Standing Committee on Transportation

This bill prohibits a person operating a bicycle, motorized bicycle, motorized tricycle or a motorized scooter from passing or overtaking a stopped school bus that has its red lights flashing. This change parallels the law as it applies to operators of motor vehicles.

Enacted Law Summary

Public Law 2009, chapter 212 prohibits a person operating a bicycle, motorized bicycle, motorized tricycle or a motorized scooter from passing or overtaking a stopped school bus that has its red lights flashing. This change parallels the law as it applies to operators of motor vehicles.

LD 1150 *Resolve, To Establish a Pilot Project To Issue Conditional Titles for Certain Automobiles and Trucks That Are More than 25 Years Old* ONTP

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

This resolve directs the Secretary of State to establish a pilot project under which a conditional title may be issued to a Maine resident owner of an automobile or a truck that is more than 25 years old. Under the pilot project, the owner of a vehicle may convert the conditional title to a certificate of title for an antique auto upon certification that the vehicle meets the statutory definition of "antique auto." The Secretary of State is directed to submit a report on the pilot project, along with any recommendations, to the Joint Standing Committee on Transportation by February 1, 2010.

LD 1151 *An Act To Prohibit the Use of Engine Brakes on All State Roads under Certain Circumstances* ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STRANG BURGESS DAVIS G	ONTP	

This bill prohibits the use of engine brakes on state highways and on the interstate highway, including the Maine Turnpike, from 11 p.m. until 7 a.m., except in the case of an emergency.

LD 1174 *An Act To Allow the Use of Cameras To Enforce Traffic Violations* ONTP

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

Current law requires a police officer to observe a violation of a traffic control device, stop the violator, issue a summons and complaint and often go to court.

This bill is based on laws in other states that permit the use of evidence obtained from unmanned, automatic cameras to prosecute and prove traffic violations. Traffic light violation monitoring systems may be installed by the State or

Joint Standing Committee on Transportation

a municipality. The owner of the vehicle photographed or otherwise recorded violating a traffic control device is rebuttably presumed to be the violator, similar to current Maine law regarding passing a stopped school bus or a traffic violation at an emergency scene.

This bill also requires the revenue generated by a traffic light violation monitoring system to be returned to the municipality that purchased, installed and was operating the system at the time of the enforcement action but only until such time as the municipality has been reimbursed for its expense. After that, the revenue is deposited in the Courthouse Security Fund to be used to improve security and improve public safety at court facilities.

LD 1175 *An Act To Add Combat Action Badges and Ribbons to the Special Commemorative Decals for Veterans License Plates*

PUBLIC 437

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FLETCHER SHERMAN	OTP-AM	H-264

This bill adds 6 commemorative decals to the list of decals issued for veterans license plates and also requires the Secretary of State to review the 2007 and 2008 data for the number of decals issued for those years, as well as the cost of acquiring and distributing the decals along with the revenue received. The Secretary of State is to report with recommendations to the Joint Standing Committee on Transportation, which is authorized to submit a bill on the findings.

Committee Amendment "A" (H-264)

This amendment doesn't change the number of commemorative decals added to the list of decals that may be issued for veterans license plates by the bill, but makes a number of technical corrections. The amendment places a moratorium on any special commemorative decals that are not already authorized by law for use with special veterans registration plates for a period of 5 years, October 1, 2009 to October 1, 2014. The amendment changes the Secretary of States report due date from January 1, 2010 to February 28, 2010. The amendment also adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2009, chapter 437 adds 5 commemorative decals to the list of decals issued for veterans license plates. It also places a moratorium on any special commemorative decals that are not already authorized by law for use with special veterans registration plates for a period of 5 years, October 1, 2009 to October 1, 2014. The law directs the Secretary of State to review the number of decals issued, as well as the cost of acquiring and distributing the decals along with the revenue received, and report back with findings and recommendations to the Joint Standing Committee on Transportation no later than February 28, 2010.

LD 1190 *An Act To Amend the Motor Vehicle Laws*

PUBLIC 435

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAMON	OTP-AM	S-176

This bill makes several changes to the motor vehicle laws. The bill:

1. Amends the weight limitation for a low-speed vehicle;

Joint Standing Committee on Transportation

2. Allows the Secretary of State to issue agricultural education plates to Department of Agriculture, Food and Rural Resources vehicles and lobster plates to Department of Marine Resources vehicles;
3. Exempts antique farm tractors from registration requirements when used in parades and charitable events;
4. Makes adjustments to the commercial vehicle excise tax reimbursement laws;
5. Clarifies that a title issued for manufactured housing remains in effect unless cancelled, allows a manufactured housing title to be cancelled if the home is permanently affixed to real property and allows rather than requires the Secretary of State to issue a title on used manufactured housing;
6. Allows the Secretary of State to recall an offensive vanity plate;
7. Extends titling requirements to most motor vehicles and trailers to vehicles manufactured in 1995 and after. Currently, only vehicles less than 15 years old are required to be titled;
8. Provides that a duplicate title is not required to be issued until 15 days after the previous title was issued;
9. Clarifies the process for managing additional security interests;
10. Modifies the release of lien process for manufactured housing;
11. Makes adjustments to the dealer plate reduction law;
12. Modifies the attended sales promotion procedures to provide for shorter permit periods at a reduced fee;
13. Increases the maximum weight of a light wrecker from 24,000 to 26,000 pounds for the purpose of determining the dealer plate fee to coincide with commercial driver's license limits;
14. Defines mobile crushers and requires them to be licensed;
15. Increases the time within which a person is obligated to notify the Secretary of State of an address or name change from 10 to 20 days; and
16. Makes a technical correction to the seatbelt requirements.

Committee Amendment "A" (S-176)

The amendment eliminates the section of the bill relating to low-speed vehicles.

The amendment also eliminates the sections of the bill that proposed to make adjustments to the commercial vehicle excise tax reimbursement laws.

The bill modifies the attended sales promotion procedures to provide for shorter permit periods at a reduced fee. The amendment also provides that a dealer who operates an attended sales promotion at a charitable event where a vehicle is displayed or offered as a prize for fund-raising purposes is exempt from the permit requirements.

The amendment increases the time within which a person is obligated to notify the Secretary of State of an address change from 10 to 30 days.

The amendment makes a technical correction relating to title fees.

Joint Standing Committee on Transportation

The amendment repeals the "bingo stamp" operating authority program for identification of intrastate and interstate motor carriers as the program has been superseded by the federal Uniform Carrier Registration program. Under current law, a first-time OUI offender may be eligible for a special license once the offender is engaged in an alcohol or other drug-related treatment program. The amendment decreases the time within which a person must complete an alcohol or other drug-related program from 6 to 3 months after receiving the special license, after which the Secretary of State is required to suspend the special license until the person completes the program.

The amendment also adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2009, chapter 435 makes several changes to the motor vehicle laws. The law:

1. Allows the Secretary of State to issue agricultural education plates to Department of Agriculture, Food and Rural Resources vehicles and lobster plates to Department of Marine Resources vehicles;
2. Exempts antique farm tractors from registration requirements when used in parades and charitable events;
3. Clarifies that a title issued for manufactured housing remains in effect unless cancelled, allows a manufactured housing title to be cancelled if the home is permanently affixed to real property and allows rather than requires the Secretary of State to issue a title on used manufactured housing;
4. Allows the Secretary of State to recall an offensive vanity plate;
5. Extends titling requirements to most motor vehicles and trailers to vehicles manufactured in 1995 and after. Currently, only vehicles less than 15 years old are required to be titled;
6. Provides that a duplicate title is not required to be issued until 15 days after the previous title was issued;
7. Clarifies the process for managing additional security interests;
8. Modifies the release of lien process for manufactured housing;
9. Makes adjustments to the dealer plate reduction law;
10. Modifies the attended sales promotion procedures to provide for shorter permit periods at a reduced fee and provides that a dealer who operates an attended sales promotion at a charitable event where a vehicle is displayed or offered as a prize for fund-raising purposes is exempt from the permit requirements;
11. Increases the maximum weight of a light wrecker from 24,000 to 26,000 pounds for the purpose of determining the dealer plate fee to coincide with commercial driver's license limits;
12. Defines mobile crushers and requires them to be licensed;
13. Increases the time within which a person is obligated to notify the Secretary of State of an address or name change from 10 to 30 days;
14. Repeals the "bingo stamp" operating authority program for identification of intrastate and interstate motor carriers as the program has been superseded by the federal Uniform Carrier Registration program; and
15. Decreases the time within which a person must complete an alcohol or other drug-related program from 6 to 3 months after receiving the special license, after which the Secretary of State is required to suspend the special license until the person completes the program.

Joint Standing Committee on Transportation

LD 1234 An Act To Regulate the Use of Traffic Surveillance Cameras

PUBLIC 223

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CEBRA	OTP-AM	H-225

This bill prohibits the use of a traffic surveillance camera to prove or enforce a violation of the motor vehicle laws.

Committee Amendment "A" (H-225)

The amendment provides that the prohibition of the use of traffic surveillance cameras does not apply to a photo-monitoring system used by the Maine Turnpike Authority for toll enforcement purposes.

Enacted Law Summary

Public Law 2009, chapter 223 prohibits the use of a traffic surveillance camera to prove or enforce a violation of the motor vehicle laws. It provides that the prohibition of the use of traffic surveillance cameras does not apply to a photo-monitoring system used by the Maine Turnpike Authority for toll enforcement purposes.

LD 1274 An Act To Establish a Gold Star Family Member License Plate

ONTP

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

This bill establishes the Gold Star Family Member license plate for gold star medal recipients. Gold star medals are awarded by the Adjutant General to express formally condolence and appreciation to the closest surviving family members of members of the United States Armed Forces who, since September 11, 2001, are killed in action or die as a consequence of injuries that result in the award of a Purple Heart medal.

LD 1315 An Act To Amend the Private Way Laws with Regard to Road Associations

PUBLIC 239

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUCHESNE GOODALL	OTP-AM MAJ ONTP MIN	H-316

This bill clarifies the reasons why a group of property owners benefited by a private way may call a meeting of a road association, what issues a road association may address and the ability of a road association to negotiate an easement for storm water management infrastructure. This bill also allows a town to use town equipment on a private way for water quality management.

Committee Amendment "A" (H-316)

This amendment, which is the majority report of the Joint Standing Committee on Transportation, eliminates a

Joint Standing Committee on Transportation

provision in the bill that specified the reasons that a meeting may be called by a road association. The amendment also allows a town to use town equipment on private roads, private ways or bridges for the purposes of protecting or restoring a great pond.

Enacted Law Summary

Public Law 2009, chapter 239 clarifies a road association may continue until the association is dissolved by a majority vote of its members. It clarifies the ability of a road association to negotiate an easement for storm water management infrastructure. It also allows a town to use town equipment on private roads, private ways or bridges for the purposes of protecting or restoring a great pond.

LD 1316 An Act To Limit the Transport of Water for Export

ONTP

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

This bill precludes the use of any new transportation infrastructure, including a road, railroad, pipeline or port facility, to be used to transport water with a final destination of any port.

LD 1341 An Act To Reform Maine's Motor Fuel Tax Laws

**ACCEPTED ONTP
REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CROCKETT P PERRY J	ONTP MAJ OTP-AM MIN	

This bill restructures the excise tax imposed on motor fuels by:

1. Reducing the motor fuel excise tax imposed on gasoline from the current inflation adjusted rate of 28.4¢ per gallon to 21¢ per gallon and on diesel fuel from the current inflation adjusted rate of 29.6¢ per gallon to 21¢ per gallon;
2. Creating a price-based excise tax component to be added to the excise tax on gasoline and diesel fuel. The new component is determined annually beginning in 2010 and is based on the average retail price of gasoline or diesel fuel for New England for the previous year. The maximum increase in the overall excise tax is limited to 10% annually, except for the first year of implementation;
3. Repealing the annual indexing of motor fuels to the rate of inflation; and
4. Transferring 8¢ per gallon and 70% of the amount in excess of 8¢ of the price-based excise tax component to the TransCap Trust Fund.

Committee Amendment "A" (H-382)

This amendment incorporates a fiscal note.

Joint Standing Committee on Transportation

LD 1351 Resolve, To Name the Bridge in Orland the Ralston C. Gray Bridge

RESOLVE 44

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

This resolve names the State Route 175 bridge crossing the Narramissic River in Orland, which is being rebuilt and is due to be completed next year, after the late lifelong Orland resident Ralston C. Gray.

Enacted Law Summary

Resolve 2009, chapter 44 names the State Route 175 bridge crossing the Narramissic River in Orland after the late lifelong Orland resident Ralston C. Gray.

LD 1355 An Act To Make Permanent the Allowance of Certain Commercial Vehicles between the United States-Canada Border and Certain Points in Maine

**PUBLIC 326
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RAYE	OTP-AM	S-192

This bill makes permanent the allowance of commercial vehicles at Canadian weight limits to travel from the Canadian border at Calais to Baileyville and from the Canadian border at Van Buren to a rail yard in Van Buren.

Committee Amendment "A" (S-192)

The bill makes permanent the allowance of commercial vehicles at Canadian weight limits to travel from the United States-Canada border at Calais to Baileyville and from the United States-Canada border at Van Buren to a rail yard in Van Buren.

This amendment extends the allowance to commercial vehicles at Canadian weight limits to travel from the United States-Canada border at Madawaska to the Fraser Papers facility or its successor in Madawaska.

The amendment gives the Secretary of State rulemaking authority to implement these provisions and directs the Secretary of State to adopt rules no later than July 1, 2009.

The amendment directs the Department of Transportation to monitor and evaluate the effects of the allowance on road conditions and to report to the joint standing committee of the Legislature having jurisdiction over transportation matters with an initial report to the Second Regular Session of the 126th Legislature and a final report to the First Regular Session of the 129th Legislature.

The amendment also adds an emergency preamble and emergency clause to the bill.

Enacted Law Summary

Public Law 2009, chapter 326 makes permanent the allowance of commercial vehicles at Canadian weight limits to travel from the United States-Canada border at Calais to Bailyville, from the United States-Canada border at Van Buren to a railyard in Van Buren, and from the United States-Canada border at Madawaska to the Fraser Papers

Joint Standing Committee on Transportation

facility or its successor in Madawaska. It gives the Secretary of State rulemaking authority to implement these provisions and directs the Secretary of State to adopt rules no later than July 1, 2009.

The law directs the Department of Transportation to monitor and evaluate the effects of the allowance on road conditions and to report to the joint standing committee of the Legislature having jurisdiction over transportation matters with an initial report to the Second Regular Session of the 126th Legislature and a final report to the First Regular Session of the 129th Legislature.

Public Law 2009, chapter 326 was enacted as an emergency measure effective June 9, 2009.

LD 1357 An Act To Protect the Privacy of Maine Residents under the Driver's License Laws

VETO SUSTAINED

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAMON	OTP-AM MAJ ONTP MIN	S-215 S-247 DAMON

This bill is a partial repeal of current Maine law enacted to comply with the requirements of the federal REAL ID Act of 2005.

This bill:

1. Repeals the requirement that the Secretary of State issue driver's licenses and nondriver identification cards only to individuals who present documentary evidence of legal presence in the United States;
2. Exempts social security numbers in the possession of the Secretary of State from the definition of public records under Maine's Freedom of Access Law;
3. Provides that the Secretary of State may not disseminate social security numbers to any entity without legislative authorization;
4. Restricts the distribution and retention of digital information used to produce a license;
5. Prohibits the Secretary of State from use of biometric technology, such as retinal scans, facial recognition or fingerprint technology but not including digital photographs in the production or storing of license information;
6. Repeals the requirement that the Secretary of State participate in the federal Systematic Alien Verification for Entitlements Program, the centralized database system used and maintained by the United States Citizenship and Immigration Services;
7. Repeals the requirement that the Secretary of State study the most cost-effective facial recognition or fingerprint technology;
8. Provides that cost savings as a result of this Act must be allocated to the Highway and Bridge Capital Program within the Department of Transportation; and
9. Does not change the current requirement that an applicant for a Maine driver's license or state identification card must provide proof of residency.

Joint Standing Committee on Transportation

Committee Amendment "A" (S-215)

The amendment, which is the majority report of the Joint Standing Committee on Transportation, provides that the Secretary of State may not disseminate social security numbers to any entity without legislative authorization unless it is required by federal law.

The amendment also provides that digital information used to produce a license or nondriver identification card is confidential. The amendment further clarifies that the Secretary of State may store, record and retain digital information used to produce a driver's license or nondriver identification card solely for the purpose of producing duplicate driver's licenses or nondriver identification cards and for renewal of driver's licenses or nondriver identification cards. Finally, the amendment provides that digital information used to produce a driver's license or nondriver identification card may be distributed only to a law enforcement agency.

The amendment also adds an appropriations and allocations section to the bill.

Senate Amendment "A" To Committee Amendment "A" (S-247)

This amendment specifies the federal law that provides an exemption to the provision that prohibits the Secretary of State from disseminating social security numbers collected from applicants for a driver's license or nondriver identification card.

It provides that digital images and digitized signatures, as opposed to digital information in Committee Amendment "A," used to produce a driver's license or nondriver identification card are confidential, and it specifies the federal law that provides an exemption to this provision.

LD 1357, as amended, was reviewed and evaluated by the Joint Standing Committee on Judiciary pursuant to Maine Revised Statutes, Title 1, section 434, which requires review and evaluation of new exceptions of laws governing public records.

LD 1383 An Act To Provide Support to Municipal Government by Imposing a Municipal Surcharge on Traffic Violations

ONTP

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

This bill imposes a \$30 municipal surcharge on every fine or forfeiture imposed for a violation of the motor vehicle laws. The surcharge accrues to the municipality in which the violation occurred, less a small administrative fee.

LD 1440 An Act To Clarify the Purpose of the Notice Requirement of Land Taking by the Department of Transportation

PUBLIC 265

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS G	OTP-AM	S-184

This bill allows a party to appeal an award by the State Claims Commission to the Superior Court although the party failed to designate to the commission the award or awards from which an appeal will be taken within 30 days of the commission forwarding the award.

Joint Standing Committee on Transportation

Committee Amendment "A" (S-184)

The amendment, which replaces the bill, clarifies the appeals process from an award by the State Claims Commission. The amendment requires the State Claims Commission to state by letter the date it issues its decision of an award. Current law provides that any party or parties aggrieved by an award by the State Claims Commission may appeal to the Superior Court within 30 days of the issuance of the commission award. The amendment provides that the party appealing must provide a copy of the complaint to be filed in the Superior Court to the other party or parties within the same 30 days, and not to the State Claims Commission.

The amendment also provides that this legislation applies to appeals from an award of the State Claims Commission that were pending on or after January 1, 2009, except that an appeal for which notice was provided in accordance with the law prior to the effective date of this Act may not be dismissed by the Superior Court for failure to comply with the new notice requirements of this legislation.

Enacted Law Summary

Public Law 2009, chapter 265 clarifies the appeals process from an award by the State Claims Commission. It requires the State Claims Commission to state by letter the date it issues its decision of an award. The law provides that the party appealing must provide a copy of the complaint to be filed in the Superior Court to the other party or parties within the same 30 days, and not to the State Claims Commission. The law applies to appeals from an award of the State Claims Commission that were pending on or after January 1, 2009, except that an appeal for which notice was provided in accordance with the law prior to the effective date of this Act may not be dismissed by the Superior Court for failure to comply with the new notice requirements of this legislation.

LD 1445 An Act To Clarify and Strengthen the State's Motor Vehicle Laws

PUBLIC 251

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAMON	OTP-AM	S-167

This bill provides that the Department of Public Safety, Bureau of State Police may not adopt any rule that exempts motor carriers, vehicles or drivers transporting certain hazardous materials from any federal regulations adopted and incorporated by reference into a bureau rule.

It provides that a person who violates the Maine Revised Statutes, Title 29-A, chapter 5, subchapter 2, or a rule adopted pursuant to that subchapter, commits a civil violation if the violation is discovered during a compliance review as that term is defined in 49 Code of Federal Regulations, Part 385.3, unless the compliance review occurs during the course or as a result of a criminal investigation. Any such violation is subject to a civil fine, which must be determined with due consideration of the Federal Motor Carrier Safety Administration's uniform fine assessment program.

It clarifies and amends the laws concerning reflective and tinted glass and tires and wheels.

It provides flexibility to the State Police in taking administrative action against a motor vehicle inspection station's license or motor vehicle inspection mechanic's license when the inspection station or inspection mechanic violates Maine law or the rules adopted by the State Police.

It allows Department of Public Safety vehicles operated by motor vehicle inspectors to be equipped with auxiliary lights that emit amber light.

Joint Standing Committee on Transportation

It makes it a crime for a motor vehicle operator or pedestrian to knowingly refuse to follow the direction of a sign clearly posted by a law enforcement officer to temporarily close a way to vehicular traffic or to vehicles of a certain description or to divert pedestrian or vehicular traffic during a fire, accident, emergency or special event.

It amends the law applicable to school bus inspections.

It clarifies the law regarding signs that must be posted at weighing points designated by the Chief of the State Police or a person designated by the chief.

Committee Amendment "A" (S-167)

This amendment eliminates the section of the bill that provides flexibility to the State Police in taking administrative action against a motor vehicle inspection station's license or motor vehicle inspection mechanic's license when the inspection station or inspection mechanic violates Maine law or the rules adopted by the State Police.

The amendment further clarifies the legal requirements concerning tires and wheels.

The bill makes it a crime for a motor vehicle operator or pedestrian to knowingly refuse to follow the direction of a sign clearly posted by a law enforcement officer to temporarily close a way to vehicular traffic or to vehicles of a certain description or to divert pedestrian or vehicular traffic during a fire, accident, emergency or special event. The amendment provides that the posted sign must include language sufficiently describing the restriction or prohibition and the fact that a violation is a Class E crime.

The amendment further clarifies the law regarding signs that must be posted at weighing points designated by the Chief of the State Police or a person designated by the chief. The amendment provides that the operator of a bus or truck with a registered weight or gross vehicle weight rating greater than 10,000 pounds or subject to the Federal Motor Carrier Safety Administration regulations who fails to stop at a weighing point when the signs are operating commits a traffic infraction.

Enacted Law Summary

Public Law 2009, chapter 251 provides that the Department of Public Safety, Bureau of State Police may not adopt any rule that exempts motor carriers, vehicles or drivers transporting certain hazardous materials from any federal regulations adopted and incorporated by reference into a bureau rule.

It provides that a person who violates the Maine Revised Statutes, Title 29-A, chapter 5, subchapter 2, or a rule adopted pursuant to that subchapter, commits a civil violation if the violation is discovered during a compliance review as that term is defined in 49 Code of Federal Regulations, Part 385.3, unless the compliance review occurs during the course or as a result of a criminal investigation. Any such violation is subject to a civil fine, which must be determined with due consideration of the Federal Motor Carrier Safety Administration's uniform fine assessment program.

It clarifies and amends the laws concerning reflective and tinted glass and tires and wheels.

It allows Department of Public Safety vehicles operated by motor vehicle inspectors to be equipped with auxiliary lights that emit amber light.

It makes it a crime for a motor vehicle operator or pedestrian to knowingly refuse to follow the direction of a sign clearly posted by a law enforcement officer to temporarily close a way to vehicular traffic or to vehicles of a certain description or to divert pedestrian or vehicular traffic during a fire, accident, emergency or special event. It also provides that the posted sign must include language sufficiently describing the restriction or prohibition and the fact that a violation is a Class E crime.

Joint Standing Committee on Transportation

It amends the law applicable to school bus inspections.

It clarifies the law regarding signs that must be posted at weighing points designated by the Chief of the State Police or a person designated by the chief. It provides that the operator of a bus or truck with a registered weight or gross vehicle weight rating greater than 10,000 pounds or subject to the Federal Motor Carrier Safety Administration regulations who fails to stop at a weighing point when the signs are operating commits a traffic infraction.

LD 1487 An Act To Provide Funding for the Highway Fund Biennial Budget

INDEF PP

Sponsor(s)

MAZUREK
DAMON

Committee Report

Amendments Adopted

This bill adds a surcharge of 5¢ per gallon on gasoline and special fuels, such as diesel, for a period of 2 years, beginning July 1, 2009 and ending July 1, 2011. The surcharge provides funding to the Department of Transportation for highway and bridge capital purposes. It also makes technical corrections to the Special Fuel Tax Act in the Maine Revised Statutes, Title 36.

Joint Standing Committee on Transportation

SUBJECT INDEX

Bridges

Enacted

LD 60	Resolve, To Rename the Father Curran Bridge in Augusta	RESOLVE 4
LD 843	Resolve, To Designate the Great South Bridge in the Town of Milbridge as the Harold West Bridge	RESOLVE 17
LD 1351	Resolve, To Name the Bridge in Orland the Ralston C. Gray Bridge	RESOLVE 44

Not Enacted

LD 665	An Act To Enhance Safety on Maine's Bridges	ONTP
--------	---	------

General Highway Fund

Enacted

LD 61	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 Year Ending June 30, 2009	PUBLIC 7 EMERGENCY
LD 333	An Act Making Unified Highway Fund and Other Funds Allocations for the Expenditures of State Government and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2009, June 30, 2010 and June 30, 2011	PUBLIC 413 EMERGENCY

Not Enacted

LD 48	Resolve, To Delay the Sustainability of the Highway Fund	ONTP
LD 269	An Act To Appropriate Funds To Equip State Trooper Cars with Cages	ONTP
LD 649	An Act To Reimburse Communities That Have Constructed Sand and Salt Sheds Rated Priority 3 and 4	ONTP
LD 1341	An Act To Reform Maine's Motor Fuel Tax Laws	ACCEPTED ONTP REPORT
LD 1487	An Act To Provide Funding for the Highway Fund Biennial Budget	INDEF PP

Insurance

Not Enacted

LD 592	An Act To Increase Mandatory Minimum Insurance Requirements for Vehicles for Hire	ONTP
--------	---	------

Miscellaneous

Not Enacted

LD 537	Resolve, To Return Two-thirds of the Purchase Cost of Sears Island to the People of Maine	
LD 1316	An Act To Limit the Transport of Water for Export	ONTP

Motor Carriers

Enacted

LD 37	An Act To Allow a Weight Tolerance for Vehicle Auxiliary Power Units	PUBLIC 3
LD 240	An Act To Extend the Exception to Axle Fines during the Midwinter Season	PUBLIC 444 EMERGENCY
LD 874	An Act To Amend the Laws Governing Axle Weights	PUBLIC 442
LD 1355	An Act To Make Permanent the Allowance of Certain Commercial Vehicles between the United States-Canada Border and Certain Points in Maine	PUBLIC 326 EMERGENCY

Not Enacted

LD 1151	An Act To Prohibit the Use of Engine Brakes on All State Roads under Certain Circumstances	ONTP
---------	--	------

Motor Vehicles

Enacted

LD 152	An Act Relating to Autocycles	PUBLIC 55
LD 297	An Act To Ensure That Medical Equipment Found in a Repossessed Vehicle Is Returned to the Owner	PUBLIC 45
LD 436	An Act To Include Trucks in the Definition of "Low-speed Vehicle"	PUBLIC 42
LD 1190	An Act To Amend the Motor Vehicle Laws	PUBLIC 435
LD 1445	An Act To Clarify and Strengthen the State's Motor Vehicle Laws	PUBLIC 251

Not Enacted

LD 38	An Act To Allow the Use of Only 2 Studded Tires on Front-wheel-drive Vehicles	ACCEPTED ONTP REPORT
LD 42	An Act To Increase the Time Period for Motor Vehicle Inspections to 2 Years	ACCEPTED ONTP REPORT
LD 145	An Act To Require the Secretary of State To Notify Vehicle Owners of Impending Registration Expiration	ONTP
LD 602	An Act To Permit Wrecker Services To Charge for Storage while a Vehicle Is under an Order of Impoundment	ONTP
LD 648	An Act To Allow the Operation of Low-speed Vehicles on Higher-speed Roads	ONTP
LD 745	An Act To Allow the Operation of Modified Utility Vehicles on Public Ways	ACCEPTED ONTP REPORT
LD 875	An Act To Promote Fuel Conservation by Allowing the Use of Mini-trucks on Public Ways	ACCEPTED ONTP REPORT
LD 920	An Act To Reduce Noise Pollution	ONTP
LD 1123	An Act To Improve the Safety of Minors by Collecting Data on Vehicle Collision Rates	ONTP
LD 1150	Resolve, To Establish a Pilot Project To Issue Conditional Titles for Certain Automobiles and Trucks That Are More than 25 Years Old	ONTP

Operator's License

Enacted

LD 7	An Act To Amend the Instruction Permit Process	PUBLIC 43
LD 169	An Act To Allow a Newly Licensed Driver To Transport a Foreign Exchange Student Who Lives with That Driver's Family	PUBLIC 10 EMERGENCY
LD 451	An Act To Clarify the Law Regarding Reinstatement of a Driver's License	PUBLIC 58

Not Enacted

LD 49	An Act To Require the Secretary of State To Provide Notice of License Revocation or Suspension by Certified Mail	ACCEPTED ONTP REPORT
LD 1357	An Act To Protect the Privacy of Maine Residents under the Driver's License Laws	VETO SUSTAINED

Public Transportation

Enacted

LD 452	An Act To Include the Town of Falmouth as a Member of the Greater Portland Transit District	PUBLIC 18 EMERGENCY
LD 513	An Act To Update the Casco Bay Island Transit District Enabling Law	P & S 3

Registration Plates

Enacted

LD 178	An Act To Create the Support Animal Welfare Registration Plate	PUBLIC 73
LD 213	An Act To Allow Military Reenlistees To Obtain a Veterans Registration Plate	PUBLIC 80
LD 541	Resolve, Regarding the Retention of Dealer Plates in Light of Recent Economic Conditions	RESOLVE 14 EMERGENCY
LD 952	An Act Relating to Disability Plates and Placards	PUBLIC 143
LD 1175	An Act To Add Combat Action Badges and Ribbons to the Special Commemorative Decals for Veterans License Plates	PUBLIC 437

Not Enacted

LD 133	An Act To Allow a Duplicate Vanity License Plate in a Different Classification of Plate	ONTP
LD 343	An Act To Establish a Specialty License Plate To Increase Funding for Autism Programs	ONTP
LD 412	An Act To Create an Animal Welfare Trailer License Plate	ONTP
LD 873	An Act To Improve Wheelchair-dependent Parking Access	ONTP
LD 1274	An Act To Establish a Gold Star Family Member License Plate	ONTP

Roads

Enacted

LD 111	Resolve, To Name Part of Route 16 the Alton E. Worcester Highway	RESOLVE 5
LD 296	Resolve, To Name the Gorham Bypass	RESOLVE 6
LD 1315	An Act To Amend the Private Way Laws with Regard to Road Associations	PUBLIC 239

Not Enacted

LD 878 **An Act To Change the Status of the Road System at the Loring
Development Authority** **ACCEPTED ONTP
REPORT**

Signs

Enacted

LD 39 **An Act To Enhance Motorcycle Safety** **PUBLIC 441**

Not Enacted

LD 15 **An Act To Prohibit the Sale of a Road Sign Originally Placed by
the State, a County or a Municipality** **DIED BETWEEN
HOUSES**

Traffic Regulations

Enacted

LD 6 **An Act To Establish a Distracted Driver Law** **PUBLIC 446**

LD 110 **An Act To Allow School Buses To Travel at the Posted Speed
Limit on the Interstate and the Maine Turnpike** **PUBLIC 9**

LD 221 **An Act To Modify the Laws Regarding Seat Belts** **PUBLIC 34**

LD 263 **An Act To Provide Placards to Drivers Who for Medical Reasons
Are Not Required To Wear Seat Belts** **PUBLIC 436**

LD 437 **An Act To Require a Person under 18 Years of Age To Wear a
Helmet While on a Motorcycle** **PUBLIC 50**

LD 862 **An Act To Improve the Health of Maine Citizens and Safety of
Pedestrians** **PUBLIC 91**

LD 1131 **An Act To Clarify the Law Regarding the Passing of School
Buses by Bicyclists** **PUBLIC 212**

LD 1234 **An Act To Regulate the Use of Traffic Surveillance Cameras** **PUBLIC 223**

Not Enacted

LD 8 **An Act To Deter Road Rage** **ONTP**

LD 40 **An Act To Prohibit Certain Uses of Cellular Telephones and
Handheld Electronic Devices while Operating a Motor Vehicle** **ACCEPTED ONTP
REPORT**

LD 41 **An Act To Prohibit the Use of a Handheld Cellular Telephone
While Operating a Motor Vehicle** **ONTP**

LD 112 **An Act To Prohibit the Use of Handheld Cellular Telephones
while Driving** **ONTP**

LD 261	An Act To Increase Safety in Construction Zones	ONTP
LD 338	An Act To Improve the Visibility of Automobiles	ONTP
LD 356	An Act To Increase the Safety of Automobile Drivers	ACCEPTED ONTP REPORT
LD 453	An Act To Require Motorcyclists To Wear Helmets	ACCEPTED ONTP REPORT
LD 706	An Act To Impose a Maximum Speed Limit of 45 Miles Per Hour on Roads on Which a School Bus Stop Is Located	ONTP
LD 907	An Act To Amend the Speed Limits for Low-speed Vehicles	ACCEPTED ONTP REPORT
LD 992	An Act To Increase Highway Safety by Requiring Daytime Headlight Use	ONTP
LD 1043	Resolve, To Establish a Blue Ribbon Commission To Study On-ramp Speed Limits	ONTP
LD 1174	An Act To Allow the Use of Cameras To Enforce Traffic Violations	ONTP
LD 1383	An Act To Provide Support to Municipal Government by Imposing a Municipal Surcharge on Traffic Violations	ONTP

Transportation Department

Enacted

LD 126	An Act To Amend Certain Laws Affecting Transportation	PUBLIC 315
LD 554	Resolve, To Allow the Department of Transportation To Transfer Certain Land to the Greater Grand Isle Historical Society	RESOLVE 9
LD 736	Resolve, Directing the Department of Transportation To Secure Funding To Complete the Aroostook North-South Highway Project	RESOLVE 139
LD 767	An Act To Promote Fairness and Protect Economic Development in Transportation Projects Undertaken by the State	PUBLIC 454
LD 846	Resolve, Directing the Department of Transportation To Study Ways To Reduce Energy Use and Promote Efficiency along Major Transportation Corridors	RESOLVE 42
LD 951	An Act Relating to the TransCap Trust Fund	PUBLIC 411 EMERGENCY
LD 967	An Act To Implement the Recommendations of the Governor's Interagency Transportation Coordinating Committee	PUBLIC 130
LD 1094	Resolve, To Study Safety Measures Relating to Open Trenches and Excavations	RESOLVE 70

LD 1440 **An Act To Clarify the Purpose of the Notice Requirement of
Land Taking by the Department of Transportation** PUBLIC 265

Not Enacted

LD 36 **An Act To Reopen Certain Rest Stops on Route 1** ONTP

LD 243 **Resolve, To Direct the Department of Transportation To
Establish a Memorial Park Honoring Veterans in Topsham** LEAVE TO
WITHDRAW

LD 262 **Resolve, Directing the Department of Transportation To Install a
Flashing Light in Charleston** ONTP

LD 435 **Resolve, Directing the Department of Transportation To Install a
Traffic Light at an Intersection in Sabattus** ONTP

LD 485 **An Act To Allow Public-private Investment in Transportation
Infrastructure Projects** ONTP

LD 542 **An Act Pertaining to the TransCap Trust Fund in the Maine
Municipal Bond Bank** ONTP

LD 593 **Resolve, To Require the Department of Transportation To
Improve the Safety of the Intersection of Route 4 and the Dill
Road in the Town of Phillips** ONTP

LD 664 **Resolve, Directing the Department of Transportation and the
Maine Turnpike Authority To Find Efficiencies in the Maine
Transportation System** ONTP

LD 707 **An Act To Settle a Dispute between Andrea LaPointe and
Michael Barden and the State** ONTP

LD 798 **Resolve, Requiring the Department of Transportation To Replace
All Property Markers along the 85-mile Stretch of the Calais
Branch Corridor from Washington Junction to Ayers Junction** LEAVE TO
WITHDRAW

Turnpike Authority

Enacted

LD 486 **An Act To Make Allocations from Maine Turnpike Authority
Funds for the Maine Turnpike Authority for the Calendar Year
Ending December 31, 2010** P & S 16

Not Enacted

LD 383 **An Act To Ensure That All Toll and Intermodal Transportation
Facilities and Roadway Lighting within the Maine Turnpike
Corridor Are Consistent with Maine's Quality of Place Goals** ONTP

LD 386 **An Act To Establish a Process for the Determination of a
Reasonable Price in the Use of Eminent Domain by the Maine
Turnpike Authority** ACCEPTED ONTP
REPORT

LD 388	An Act To Ensure That Fair and Actual Funds from Maine Turnpike Authority Toll Receipts Be Given to the Department of Transportation Annually	ONTP
LD 432	An Act To Ensure That the Maine Turnpike Authority Conducts Public Hearings for Construction and Reconstruction Projects and That All Public Records of the Maine Turnpike Authority Are Open for Inspection	ONTP
LD 661	Resolve, To Provide Equitable Tolls on the Maine Turnpike	ONTP

LD INDEX

LD #		Page #
LD 6	-----	Page 1
LD 7	-----	Page 1
LD 8	-----	Page 2
LD 15	-----	Page 2
LD 36	-----	Page 2
LD 37	-----	Page 3
LD 38	-----	Page 3
LD 39	-----	Page 3
LD 40	-----	Page 4
LD 41	-----	Page 4
LD 42	-----	Page 5
LD 48	-----	Page 5
LD 49	-----	Page 5
LD 60	-----	Page 6
LD 61	-----	Page 6
LD 110	-----	Page 7
LD 111	-----	Page 7
LD 112	-----	Page 8
LD 126	-----	Page 8
LD 133	-----	Page 9
LD 145	-----	Page 9
LD 152	-----	Page 9
LD 169	-----	Page 10
LD 178	-----	Page 10
LD 213	-----	Page 11
LD 221	-----	Page 12
LD 240	-----	Page 12
LD 243	-----	Page 13
LD 261	-----	Page 13
LD 262	-----	Page 13
LD 263	-----	Page 13
LD 269	-----	Page 14
LD 296	-----	Page 14
LD 297	-----	Page 14
LD 333	-----	Page 15
LD 338	-----	Page 21
LD 343	-----	Page 21
LD 356	-----	Page 21
LD 383	-----	Page 22
LD 386	-----	Page 22
LD 388	-----	Page 23
LD 412	-----	Page 23
LD 432	-----	Page 23
LD 435	-----	Page 24
LD 436	-----	Page 24
LD 437	-----	Page 24
LD 451	-----	Page 25
LD 452	-----	Page 25
LD 453	-----	Page 26
LD 485	-----	Page 26
LD 486	-----	Page 26
LD 513	-----	Page 27
LD 537	-----	Page 27
LD 541	-----	Page 28

LD 542	-----	Page 28
LD 554	-----	Page 28
LD 592	-----	Page 29
LD 593	-----	Page 29
LD 602	-----	Page 29
LD 648	-----	Page 30
LD 649	-----	Page 30
LD 661	-----	Page 30
LD 664	-----	Page 30
LD 665	-----	Page 31
LD 706	-----	Page 31
LD 707	-----	Page 31
LD 736	-----	Page 32
LD 745	-----	Page 33
LD 767	-----	Page 33
LD 798	-----	Page 34
LD 843	-----	Page 34
LD 846	-----	Page 35
LD 862	-----	Page 35
LD 873	-----	Page 35
LD 874	-----	Page 36
LD 875	-----	Page 36
LD 878	-----	Page 37
LD 907	-----	Page 37
LD 920	-----	Page 37
LD 951	-----	Page 38
LD 952	-----	Page 38
LD 967	-----	Page 39
LD 992	-----	Page 39
LD 1043	-----	Page 39
LD 1094	-----	Page 40
LD 1123	-----	Page 40
LD 1131	-----	Page 40
LD 1150	-----	Page 41
LD 1151	-----	Page 41
LD 1174	-----	Page 41
LD 1175	-----	Page 42
LD 1190	-----	Page 42
LD 1234	-----	Page 45
LD 1274	-----	Page 45
LD 1315	-----	Page 45
LD 1316	-----	Page 46
LD 1341	-----	Page 46
LD 1351	-----	Page 47
LD 1355	-----	Page 47
LD 1357	-----	Page 48
LD 1383	-----	Page 49
LD 1440	-----	Page 49
LD 1445	-----	Page 50
LD 1487	-----	Page 52