

STATE OF MAINE
124TH LEGISLATURE
SECOND REGULAR SESSION



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

JOINT STANDING COMMITTEE ON TRANSPORTATION

April 2010

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Joint Standing Committee on Transportation

LD 1320 An Act To Ensure the Availability of Alcohol-free Motor Fuels

ONTP

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

This bill was carried over from the First Regular Session of the 124th Legislature by the Joint Standing Committee on Business, Research and Economic Development and re-referred to the Joint Standing Committee on Transportation during the Second Regular Session. This bill requires a retail dealer of gasoline and a distributor of gasoline to offer for sale or use nonethanol-blended unleaded premium grade gasoline.

LD 1501 An Act To Dedicate Surplus Transportation Funds to Highway Maintenance and Paving

**ACCEPTED ONTP
REPORT**

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

This bill requires the transfer of the uncommitted balance in the Highway Fund unallocated surplus account to the Department of Transportation Highway and Bridge Light Capital program for maintenance paving. The amount transferred to this program, when added to previous allocations to the program for the fiscal year, may not exceed an amount necessary to perform maintenance paving at a rate of 600 miles per year as calculated by the Department of Transportation and reported to the State Controller. Any remaining uncommitted balance must be transferred to the Department of Transportation Highway and Bridge Capital and Maintenance and Operations programs for capital needs.

This bill also includes a one-time Highway Fund deallocation of \$142,259 to the Department of Transportation Highway and Bridge Capital program and a corresponding one-time Highway Fund allocation to the Department of Transportation Highway and Bridge Light Capital program, to transfer the adjustment to allocation resulting from the uncommitted balance in the Highway Fund unallocated surplus account at the end of fiscal year 2008-09.

Committee Amendment "A" (S-361)

This amendment, which is the minority report of the Joint Standing Committee on Transportation, incorporates a fiscal note.

LD 1502 Resolve, To Name Route 16/27 in the Town of Stratton the Caleb Dalton Stevens Memorial Highway

RESOLVE 145

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

Joint Standing Committee on Transportation

This resolve names the portion of State Route 16/27 in the Town of Stratton as the Caleb Dalton Stevens Memorial Highway, in memory of an early pioneer settler of the region who traveled that route.

Enacted Law Summary

Resolve 2009, chapter 145 names the portion of State Route 16/27 in the Town of Stratton as the Caleb Dalton Stevens Memorial Highway, in memory of an early pioneer settler of the region who traveled that route.

LD 1503 An Act To Establish Emergency Zones on Public Ways To Minimize Accidents

PUBLIC 554

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRAHAN	OTP-AM	S-398

This bill defines emergency zones and allows the Commissioner of Transportation and the Executive Director of the Maine Turnpike Authority to lower the speed limit in those areas. Fines are doubled if a person violates this provision of law.

Committee Amendment "A" (S-398)

This committee amendment, which strikes and replaces the bill, requires an operator of a motor vehicle to proceed at a careful and prudent speed when approaching or passing through an emergency zone. The amendment defines "emergency zone" as any portion of a way where at least one stationary ambulance or emergency medical service, fire department, hazardous material response or police vehicle is located with emergency lights in use for the purposes of rendering medical assistance or responding to an event when the situation presents a risk of harm to a person using the way or an area immediately adjacent to the way.

Enacted Law Summary

Public Law 2009, chapter 554 requires an operator of a motor vehicle to proceed at a careful and prudent speed when approaching or passing through an emergency zone. The amendment defines "emergency zone" as any portion of a way where at least one stationary ambulance or emergency medical service, fire department, hazardous material response or police vehicle is located with emergency lights in use for the purposes of rendering medical assistance or responding to an event when the situation presents a risk of harm to a person using the way or an area immediately adjacent to the way.

LD 1555 An Act To Require the Bureau of Motor Vehicles To Accept Certification of Disability from the United States Department of Veterans Affairs

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN J L DAMON	ONTP	

This bill requires the Department of the Secretary of State, Bureau of Motor Vehicles to accept certification of a person's disability from the United States Department of Veterans Affairs for the purpose of obtaining a disability registration plate or disability placard.

Joint Standing Committee on Transportation

LD 1561 An Act To Regulate the Use of Automated License Plate Recognition Systems

PUBLIC 605

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAMON	OTP-AM MAJ OTP MIN	S-401 S-432 BLISS S-453 DAMON

This bill prohibits the use of traffic surveillance cameras to collect data that could be used to uniquely identify a vehicle or individual and adds automated license plate recognition systems to the list of regulated surveillance technology.

Committee Amendment "A" (S-401)

This amendment, which is the majority report of the Joint Standing Committee on Transportation, strikes and replaces the bill. The amendment defines "automated license plate recognition system" as a system of one or more mobile or fixed high-speed cameras combined with computer algorithms to convert images of registration plates into computer-readable data. The amendment clarifies that an automated license plate recognition system does not include a photo-monitoring system used by the Maine Turnpike Authority or a law enforcement agency for toll enforcement purposes.

The amendment prohibits the use of automated license plate recognition systems except by the Department of Transportation for the purposes of protecting public safety and transportation infrastructure, the Department of Public Safety, Bureau of State Police for the purposes of commercial motor vehicle screening and inspection and any state, county or municipal law enforcement agency for the purposes of providing public safety, conducting criminal investigations and ensuring compliance with local, state and federal laws. A law enforcement agency may use an automated license plate recognition system only in conjunction with information entered by a law enforcement officer or information available in the National Crime Information Center database. The amendment provides that data collected or retained through the use of an automated license plate recognition system are confidential and may be available for use only by a law enforcement agency in carrying out its functions or by an agency collecting information for its intended purpose or a civil or criminal proceeding.

The amendment allows a law enforcement agency to publish and release as public information summary reports using aggregate data that do not reveal the activities of an individual or firm. The amendment also allows a law enforcement agency to share commercial motor vehicle screening data with the Federal Motor Carrier Safety Administration for regulatory compliance purposes. The amendment further provides that data collected through the use an automated license plate recognition system that are not intelligence and investigative information, or data collected for the purposes of commercial motor vehicle screening, may not be stored for more than 21 days.

The amendment makes a violation of the automated license plate recognition system provisions a Class E crime.

The amendment directs the Secretary of State to establish a working group to study and assess potential issues relating to the use of automated license plate recognition systems by law enforcement agencies and other authorized agencies. The working group must submit a report including its findings and recommendations to

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the joint standing committee of the Legislature having jurisdiction over transportation matters no later than January 15, 2011. The amendment gives the joint standing committee of the Legislature having jurisdiction over transportation matters authority to submit a bill to the First Regular Session of the 125th Legislature.

Senate Amendment "B" To Committee Amendment "A" (S-432)

This amendment makes specific the factors that must exist when a law enforcement agency is using an automated license plate recognition system.

Senate Amendment "C" To Committee Amendment "A" (S-453)

This amendment removes authority for the joint standing committee of the Legislature having jurisdiction over transportation matters to submit a bill to the First Regular Session of the 125th Legislature.

Enacted Law Summary

Public Law 2009, chapter 605 defines "automated license plate recognition system" as a system of one or more mobile or fixed high-speed cameras combined with computer algorithms to convert images of registration plates into computer-readable data. The law further clarifies that an automated license plate recognition system does not include a photo-monitoring system used by the Maine Turnpike Authority or a law enforcement agency for toll enforcement purposes.

The law prohibits the use of automated license plate recognition systems except by the Department of Transportation for the purposes of protecting public safety and transportation infrastructure, the Department of Public Safety, Bureau of State Police for the purposes of commercial motor vehicle screening and inspection and any state, county or municipal law enforcement agency for the purposes of providing public safety, conducting criminal investigations and ensuring compliance with local, state and federal laws.

A law enforcement agency may use an automated license plate recognition system only in conjunction with information entered by a law enforcement officer based on specific and articulable facts of a concern for safety, wrongdoing or a criminal investigation or pursuant to a civil order or records from the National Crime Information Center database or an official published law enforcement bulletin.

The law provides that data collected or retained through the use of an automated license plate recognition system are confidential and may be available for use only by a law enforcement agency in carrying out its functions or by an agency collecting information for its intended purpose or a civil or criminal proceeding. It allows a law enforcement agency to publish and release as public information summary reports using aggregate data that do not reveal the activities of an individual or firm. It also allows a law enforcement agency to share commercial motor vehicle screening data with the Federal Motor Carrier Safety Administration for regulatory compliance purposes. It further provides that data collected through the use of an automated license plate recognition system that are not intelligence and investigative information, or data collected for the purposes of commercial motor vehicle screening, may not be stored for more than 21 days.

The law makes a violation of the automated license plate recognition system provisions a Class E crime.

It also directs the Secretary of State to establish a working group to study and assess potential issues relating to the use of automated license plate recognition systems by law enforcement agencies and other authorized agencies. The working group must submit a report including its findings and recommendations to the joint standing committee of the Legislature having jurisdiction over transportation matters no later than January 15, 2011.

Joint Standing Committee on Transportation

LD 1562 An Act To Amend the Motor Vehicle Laws

PUBLIC 598

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAMON	OTP-AM	H-711 MAZUREK S-391 S-433 DAMON

This bill makes several changes to the motor vehicle laws.

1. It repeals the requirement that the prior certificate of registration be returned to the Secretary of State when a registration is transferred or canceled.
2. It permits a disabled veteran who has been issued disabled veterans registration plates to park in a disability parking space without the need to obtain a separate disability placard.
3. It amends various provisions of law by removing references to motor carrier operating authority.
4. It clarifies that a car dealer operating an unattended sales promotion at a charity event is exempt from permit fees when a vehicle is displayed as a prize.
5. It updates motor carrier operating authority requirements by removing motor carrier intrastate operating authority requirements and correcting associated references related to insurance and suspension of authority.
6. It corrects cross-references to provisions of law repealed in the bill.

Committee Amendment "A" (S-391)

This committee amendment allows the sportsman registration plate to be displayed on Department of Inland Fisheries and Wildlife and Department of Conservation vehicles.

The amendment allows a special equipment registration to be issued for 2 years at twice the annual fee, as is currently allowed for most trailers.

The amendment eliminates the section of the bill that proposes to permit a disabled veteran who has been issued a disabled veteran registration to park in a disability parking space without the need to obtain a separate disability placard. Instead, the amendment adds the International Symbol of Access to the disabled veteran registration plate, allowing a person who has been issued the registration plate to park in a disability parking space without the need to obtain a separate disability placard.

The amendment amends the Maine Revised Statutes, Title 29-A, chapter 5, subchapter 2 headnote to more accurately reflect the provisions in the subchapter.

The amendment changes a violation of the Unified Carrier Registration System requirements from a Class E crime to a traffic infraction.

The amendment clarifies that the issuance of rush titles and certain other documents are expedited rather than immediate.

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The amendment also clarifies that certificates of title and salvage are not issued for off-road vehicles.

The amendment allows a vehicle dealer with multiple places of business to keep the original vehicle title at a central location if a copy is available for the customer's inspection.

The amendment clarifies that the Secretary of State may refuse to issue a title to a vehicle declared salvage in another state.

The amendment also clarifies that the Secretary of State may carry forward a title legend issued by another state.

The amendment clarifies that a lienholder must submit a title application to the Secretary of State within 30 days.

The amendment provides that proof of financial responsibility with respect to a nonresident can be provided by insurers authorized to transact business in the state of residence of the insured.

House Amendment "A" (H-711)

This amendment removes the requirement in current law that a driver's license issued to a person convicted for OUI bear a coded notation of the conviction.

Senate Amendment "A" (S-433)

This amendment clarifies that the reinstatement fee for a suspension for failure to appear, answer or pay a fine for a traffic infraction be deposited equally between the Highway Fund and the General Fund.

Enacted Law Summary

Public Law 2009, chapter 598 makes changes to the motor vehicle laws.

1. It repeals the requirement that the prior certificate of registration be returned to the Secretary of State when a registration is transferred or canceled.
2. It amends various provisions of law by removing references to motor carrier operating authority.
3. It clarifies that a car dealer operating an unattended sales promotion at a charity event is exempt from permit fees when a vehicle is displayed as a prize.
4. It updates motor carrier operating authority requirements by removing motor carrier intrastate operating authority requirements and correcting associated references related to insurance and suspension of authority.
5. It allows the sportsman registration plate to be displayed on Department of Inland Fisheries and Wildlife and Department of Conservation vehicles.
6. It allows a special equipment registration to be issued for 2 years at twice the annual fee, as is currently allowed for most trailers.
7. It adds the International Symbol of Access to the disabled veteran registration plate, allowing a person who has been issued the registration plate to park in a disability parking space without the need to obtain a separate disability placard.
8. It changes a violation of the Unified Carrier Registration System requirements from a Class E crime to a traffic infraction.

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9. It clarifies that the issuance of rush titles and certain other documents are expedited rather than immediate.
10. It clarifies that certificates of title and salvage are not issued for off-road vehicles.
11. It allows a vehicle dealer with multiple places of business to keep the original vehicle title at a central location if a copy is available for the customer's inspection.
12. It clarifies that the Secretary of State may refuse to issue a title to a vehicle declared salvage in another state.
13. It clarifies that the Secretary of State may carry forward a title legend issued by another state.
14. It clarifies that a lienholder must submit a title application to the Secretary of State within 30 days.
15. It provides that proof of financial responsibility with respect to a nonresident can be provided by insurers authorized to transact business in the state of residence of the insured.
16. It removes the requirement in current law that a driver's license issued to a person convicted for OUI bear a coded notation of the conviction.
17. It clarifies that the reinstatement fee for a suspension for failure to appear, answer or pay a fine for a traffic infraction be deposited equally between the Highway Fund and the General Fund.

**LD 1570 An Act To Amend the Laws Governing the We Support Our Troops
Registration Plates**

PUBLIC 481

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PILON	OTP-AM	H-606

This bill clarifies where in the Department of Defense, Veterans and Emergency Management proceeds from the sale of We Support Our Troops registration plates are to be deposited and specifies the authority of the We Support Our Troops Advisory Board with respect to the determination of the use of these proceeds.

Committee Amendment "A" (H-606)

The committee amendment strikes and replaces the bill. The amendment directs that proceeds from the sale of We Support Our Troops registration plates be deposited into the Maine Military Family Relief Fund in the Department of Defense, Veterans and Emergency Management. The amendment specifies that the We Support Our Troops Advisory Board determines the use of the revenue deposited in the fund from the We Support Our Troops registration plates.

Enacted Law Summary

Public Law 2009, chapter 481 provides that proceeds from the sale of We Support Our Troops registration plates be deposited into the Maine Military Family Relief Fund in the Department of Defense, Veterans and Emergency Management. It specifies that the We Support Our Troops Advisory Board determines the use of the revenue deposited in the fund from the We Support Our Troops registration plates.

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LD 1605 Resolve, Authorizing the Transfer of State Land to the Natural Resource Education Center of Greenville

ONTP

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

This resolve authorizes the transfer of certain land in the Town of Greenville to the Natural Resource Education Center.

LD 1606 Resolve, To Name a Bridge in North Berwick the North Berwick Veterans Memorial Bridge

**RESOLVE 144
EMERGENCY**

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

This resolve directs the Department of Transportation to name the bridge over the Great Works River on State Route 9 in the Town of North Berwick the North Berwick Veterans Memorial Bridge and erect appropriate signs that identify that bridge as the North Berwick Veterans Memorial Bridge.

Enacted Law Summary

Resolve 2009, chapter 144 directs the Department of Transportation to name the bridge over the Great Works River on State Route 9 in the Town of North Berwick the North Berwick Veterans Memorial Bridge and erect appropriate signs that identify that bridge as the North Berwick Veterans Memorial Bridge.

Resolve 2009, chapter 144 was finally passed as an emergency measure effective February 10, 2010.

LD 1638 An Act To Impose Service Requirements on Railroads That Receive Funds from the Department of Transportation

ONTP

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

This bill requires that a railroad company that receives funds from the State meet and demonstrate compliance with certain service requirements or pay a penalty.

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LD 1639 An Act To Stimulate the Maine Economy and Promote the Development of Maine's Priority Transportation Infrastructure Needs

PUBLIC 648

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MACDONALD DAMON	OTP-AM	H-699 S-441 DAMON

The purpose of this bill is to stimulate the Maine economy by allowing the Department of Transportation to receive and solicit proposals and enter into agreements with private entities for the building, ownership, leasing or financing of certain transportation projects set forth in Public Law 2007, chapter 470.

Committee Amendment "A" (H-699)

This amendment replaces the bill. The purpose of Part A of this amendment is to stimulate the Maine economy by allowing the Department of Transportation to receive and solicit proposals and, with legislative approval, enter into agreements with private entities for the building, ownership, leasing or financing of certain transportation facilities. Part B makes changes to the design-build procurement statutes for the Department of Transportation.

Senate Amendment "A" To Committee Amendment "A" (S-441)

This amendment clarifies that the means of securing performance of a contract must meet the requirements of the Public Works Contractors' Surety Bond Law of 1971.

Enacted Law Summary

Public Law 2009, chapter 648 allows the Department of Transportation to receive and solicit proposals and, with legislative approval, enter into agreements with private entities for the building, ownership, leasing or financing of certain transportation facilities. The law applies to a proposal or agreement for a private entity to form a public-private partnership when the department estimates that the initial capital cost of a project is \$25,000,000 or more or when the proposal includes placing tolls on existing transportation facilities that were not previously subject to tolls. It also clarifies that the means of securing performance of a contract must meet the requirements of the Public Works Contractors' Surety Bond Law of 1971.

It also makes changes to the design-build procurement statutes for the Department of Transportation.

LD 1640 An Act To Provide for the Safety of Maine Athletes

PUBLIC 484

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAREY DAMON	OTP-AM MAJ ONTP MIN	H-603

This bill applies rules of the road for bicyclists to roller skiers.

Committee Amendment "A" (H-603)

This amendment, which is the majority report of the Joint Standing Committee on Transportation, clarifies that roller skis may be prohibited from divided highways. The amendment provides that a person who is in the business of renting roller skis shall post or make available to a person renting roller skis a written notice explaining the helmet

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requirement in Maine law and shall provide an appropriate helmet to an operator of roller skis who has not attained 16 years of age. Current law provides that a reasonable fee may be charged for the helmet rental. The amendment further provides that a person who is in the business of renting roller skis who complies with the helmet requirement in Maine law is not liable in a civil suit for damages for injuries sustained by a roller ski operator as a result of the operator's failure to use a helmet.

The amendment clarifies that, for a first violation of the helmet requirement for a person under 16 years of age who is an operator of roller skis on a public roadway or public bikeway, a law enforcement officer may provide safety information to the person.

Enacted Law Summary

Public Law 2009, chapter 484 applies rules of the road for bicyclists to roller skiers. It also clarifies that roller skis may be prohibited from divided highways. It provides that a person who is in the business of renting roller skis shall post or make available to a person renting roller skis a written notice explaining the helmet requirement in Maine law and shall provide an appropriate helmet to an operator of roller skis who has not attained 16 years of age. The law provides that a reasonable fee may be charged for the helmet rental. It further provides that a person who is in the business of renting roller skis who complies with the helmet requirement in Maine law is not liable in a civil suit for damages for injuries sustained by a roller ski operator as a result of the operator's failure to use a helmet.

It also clarifies that, for a first violation of the helmet requirement for a person under 16 years of age who is an operator of roller skis on a public roadway or public bikeway, a law enforcement officer may provide safety information to the person.

LD 1641 An Act To Direct Funds from the Highway Fund to the Highway and Bridge Light Capital Program

**ACCEPTED ONTP
REPORT**

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

This bill directs that 7.5% of gross Highway Fund revenues, for each biennium, must be allocated to the Department of Transportation Highway and Bridge Light Capital program for maintenance surface treatment.

Committee Amendment "A" (H-610)

This amendment, which is the minority report of the committee, directs that 3.75%, instead of 7.5% in the bill, of gross Highway Fund revenues for each biennium must be allocated to the Department of Transportation Highway and Bridge Light Capital program for maintenance surface treatment. The amendment repeals this provision June 30, 2014. The amendment removes the emergency preamble and emergency clause of the bill and changes the effective date to July 1, 2011.

LD 1642 An Act Relating to Road Noise

PUBLIC 639

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STRANG BURGESS DAVIS G	OTP-AM	H-672

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The bill clarifies the law regarding excessive noise as it relates to mufflers and exhaust systems of motor vehicles operated within posted areas designated by the Department of Transportation or the Maine Turnpike Authority.

Committee Amendment "A" (H-672)

This committee amendment defines "excessive or unusual noise" as it relates to exhaust systems that are improperly installed or maintained or modified in a way that increases the noise emitted by a motor vehicle. The amendment also directs the Department of Public Safety, Bureau of State Police to convene a working group to study issues relating to highway traffic noise, including, but not limited to, unwarranted noise created when an exhaust system is not properly installed or maintained or is altered.

Enacted Law Summary

Public Law 2009, chapter 639 defines "excessive or unusual noise" as it relates to exhaust systems that are improperly installed or maintained or modified in a way that increases the noise emitted by a motor vehicle. It also directs the Department of Public Safety, Bureau of State Police to convene a working group to study issues relating to highway traffic noise, including, but not limited to, unwarranted noise created when an exhaust system is not properly installed or maintained or is altered.

LD 1655 An Act To Preserve the "We Support Our Troops" Registration Plate

ONTP

Sponsor(s)

RAYE

Committee Report

ONTP

Amendments Adopted

Under current law, the Secretary of State is required to retire specialty license plates when the number of sets of the plate issued falls below 4,000. This bill enacts an exception for the "We Support Our Troops" registration plate and sets the minimum number for that specialty plate at 3,500.

LD 1663 An Act Relating to the Maine Aeronautical Advisory Board

PUBLIC 485

Sponsor(s)

MARRACHE

Committee Report

OTP-AM

Amendments Adopted

S-358

This bill establishes in the Maine Revised Statutes a committee to aid the Department of Transportation in developing and maintaining general aviation and airports in the State.

Committee Amendment "A" (S-358)

This committee amendment strikes and replaces the bill. The amendment expands the existing Maine Aeronautical Advisory Board from 5 members to at least 7 members. The amendment strikes a provision requiring that one member of the advisory board not represent an interest in aviation.

Enacted Law Summary

Public Law 2009, chapter 485 expands the existing Maine Aeronautical Advisory Board from 5 members to at least 7 members. It also strikes a provision requiring that one member of the advisory board not represent an interest in aviation.

Joint Standing Committee on Transportation

**LD 1669 Resolve, To Name the New Bridge over Gilman Stream in New Portland
the Joshua Bernard Memorial Bridge**

**LEAVE TO
WITHDRAW**

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

This resolve directs the Department of Transportation to name the new bridge over Gilman Stream in New Portland on State Route 16 as the Joshua Bernard Memorial Bridge.

LD 1670 Resolve, To Authorize the Placement of a Sign at Saddleback Mountain

ONTP

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

This resolve gives the Saddleback Mountain ski resort authorization to erect a 5-foot-by-6-foot directional sign on the access road to the resort, at the corner of State Route 4 and Dallas Hill Road in the Town of Rangeley, if the resort receives approval for the sign from the Town of Rangeley.

**LD 1675 An Act To Reduce Noise Caused by Motorcycles and Improve Public
Health**

PUBLIC 624

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SULLIVAN	OTP-AM	S-415

This bill, which is a concept draft pursuant to Joint Rule 208, proposes to enact measures designed to improve public health by limiting the amount of noise that may be caused by motorcycles in the State.

Committee Amendment "A" (S-415)

This committee amendment requires that, effective January 1, 2012, an inspection sticker for a motorcycle be affixed to the rear of the motorcycle either on a mounting plate or on a rear fender or similar frame or body part of the motorcycle. The amendment also directs the Department of Public Safety, Bureau of State Police to convene a working group to study the issue of motorcycle noise, including, but not limited to, industry sound testing standards, United States Environmental Protection Agency labeling guidelines for noise emissions, and motorcycle safety inspection requirements and to report to the joint standing committee of the Legislature having jurisdiction over transportation matters by January 15, 2011.

Enacted Law Summary

Public Law 2009, chapter 624 requires that, effective January 1, 2012, an inspection sticker for a motorcycle be affixed to the rear of the motorcycle either on a mounting plate or on a rear fender or similar frame or body part of the motorcycle. It also directs the Department of Public Safety, Bureau of State Police to convene a working group

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to study the issue of motorcycle noise, including, but not limited to, industry sound testing standards, United States Environmental Protection Agency labeling guidelines for noise emissions, and motorcycle safety inspection requirements and to report to the joint standing committee of the Legislature having jurisdiction over transportation matters by January 15, 2011.

LD 1678 Resolve, Directing the Department of Transportation To Review the Fiscal Impact on the State of the Closure of the Railroad Track between Madawaska and Millinocket **ONTP**

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

This resolve directs the Department of Transportation to review the fiscal impact upon the State of the proposed closure of railroad tracks between the Town of Madawaska and the Town of Millinocket and report its findings to the Second Regular Session of the 124th Legislature.

LD 1719 An Act To Encourage Tourism by Ensuring the Safety, Accessibility and Availability of Highway Rest Stops and Scenic Overlooks **ACCEPTED ONTP REPORT**

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

The bill prohibits loitering at rest areas maintained by the Department of Transportation and the Maine Turnpike Authority. The bill requires that rest areas on Interstate 95 located in Pittsfield and Sidney be reopened. The bill directs the Department of Transportation to open and maintain the scenic overlook in the Town of Medway on Interstate 95 northbound, which overlooks Mount Katahdin.

Committee Amendment "A" (H-627)

This amendment, which is the minority report of the Joint Standing Committee on Transportation, strikes language directing the Department of Transportation to reopen and maintain the previously closed rest area on Interstate 95 southbound in the Town of Sidney. The amendment also adds an appropriations and allocations section to the bill.

LD 1728 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 State Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2010 and June 30, 2011 **PUBLIC 600 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAZUREK DAMON	OTP-AM	H-799

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Part A makes allocations of funds for the fiscal years ending June 30, 2010 and June 30, 2011.

Part B provides funding for approved reclassifications and range changes.

Part C amends Public Law 2009, chapter 413, Part I, section 1 to recognize that a consolidated account will be established within each executive branch agency to account for technology-related expenditures.

Part D transfers excess equity reserves for workers' compensation for fiscal year 2009-10 to the unappropriated surplus of the Highway Fund by the close of fiscal year 2009-10. This Part also transfers amounts related to savings in the Highway Fund accounts arising from rate reductions for workers' compensation in fiscal year 2010-11.

Part E transfers excess equity reserves for retiree health insurance for fiscal years 2008-09 and 2009-10 to the unappropriated surplus of the Highway Fund by the close of fiscal year 2009-10. This Part also transfers amounts related to savings in the Highway Fund accounts arising from rate reductions for retiree health insurance in fiscal year 2010-11.

Part F requires the State Budget Officer to calculate the amount of savings in the Statewide Service Center account in Part A that applies against each Highway Fund account for executive branch departments and agencies statewide from a decrease in charges by the Department of Administrative and Financial Services, Division of Financial and Personnel Services associated with savings from a reduction in retiree health insurance rates. The State Budget Officer shall transfer the amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to allocations in fiscal year 2010-11.

Committee Amendment "A" (H-799)

Part A makes allocations of funds for the fiscal years ending June 30, 2010 and June 30, 2011.

Part B provides funding for approved reclassifications and range changes.

Part C amends Public Law 2009, chapter 413, Part I, section 1 to recognize that a consolidated account will be established within each executive branch agency to account for technology-related expenditures.

Part D transfers excess equity reserves for workers' compensation for fiscal year 2009-10 to the unappropriated surplus of the Highway Fund by the close of fiscal year 2009-10. The Part also transfers amounts related to savings in the Highway Fund accounts arising from rate reductions for workers' compensation in fiscal year 2010-11.

Part E transfers excess equity reserves for retiree health insurance for fiscal years 2008-09 and 2009-10 to the unappropriated surplus of the Highway Fund by the close of fiscal year 2009-10. This Part also transfers amounts related to savings in the Highway Fund accounts arising from rate reductions for retiree health insurance in fiscal year 2010-11.

Part F requires the State Budget Officer to calculate the amount of savings in the Statewide Service Center account that applies against each Highway Fund account for executive branch departments and agencies statewide from a decrease in charges by the Department of Administrative and Financial Services, Division of Financial and Personnel Services associated with savings from a reduction in retiree health insurance rates. The State Budget Officer shall transfer the amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to allocations in fiscal year 2010-11.

Part G restores longevity payments to employees whose compensation is funded by the Highway Fund in fiscal year 2010-11.

Part H provides that up to \$1,000,000 in savings from the Department of Secretary of State, Administration - Motor Vehicles program All Other line category may be carried forward for the eventual acquisition of a document

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management system to replace the department's microfilm system.

Enacted Law Summary

Public Law 2009, chapter 600 makes allocations of funds for the fiscal years ending June 30, 2010 and June 30, 2011.

It provides funding for approved reclassifications and range changes.

It amends Public Law 2009, chapter 413, Part I, section 1 to recognize that a consolidated account will be established within each executive branch agency to account for technology-related expenditures.

It transfers excess equity reserves for workers' compensation for fiscal year 2009-10 to the unappropriated surplus of the Highway Fund by the close of fiscal year 2009-10. It also transfers amounts related to savings in the Highway Fund accounts arising from rate reductions for workers' compensation in fiscal year 2010-11.

It transfers excess equity reserves for retiree health insurance for fiscal years 2008-09 and 2009-10 to the unappropriated surplus of the Highway Fund by the close of fiscal year 2009-10. It also transfers amounts related to savings in the Highway Fund accounts arising from rate reductions for retiree health insurance in fiscal year 2010-11.

It requires the State Budget Officer to calculate the amount of savings in the Statewide Service Center account that applies against each Highway Fund account for executive branch departments and agencies statewide from a decrease in charges by the Department of Administrative and Financial Services, Division of Financial and Personnel Services associated with savings from a reduction in retiree health insurance rates. The State Budget Officer shall transfer the amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to allocations in fiscal year 2010-11.

It restores longevity payments to employees whose compensation is funded by the Highway Fund in fiscal year 2010-11.

It provides that up to \$1,000,000 in savings from the Department of Secretary of State, Administration - Motor Vehicles program All Other line category may be carried forward for the eventual acquisition of a document management system to replace the department's microfilm system.

Public Law 2009, chapter 600 was enacted as an emergency measure effective April 2, 2010.

**LD 1736 An Act To Improve Safety on Maine's Primary and Secondary Roads,
Reduce Road Maintenance Costs and Improve the Environment and the
Economy by Allowing Certain Heavy Commercial Vehicles on the
Interstate Highway System in Maine**

**PUBLIC 469
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAMON	OTP-AM	S-366

This bill authorizes 6-axle combination vehicles consisting of 3-axle truck tractors with tri-axle semitrailers of up to 100,000 pounds gross vehicle weight to operate on the Maine Interstate Highway System, for as long as a federal law exempting the State from the 80,000-pound limit is in effect, if otherwise in compliance with all other requirements of the Maine Revised Statutes, Title 29-A. It also specifies that other currently authorized exemptions and exceptions do not apply to those vehicles. The bill would apply retroactively to December 16, 2009, the

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effective date of the federal legislation authorizing the exemption from the federal weight limit.

Committee Amendment "A" (S-366)

This committee amendment clarifies that the 6-axle truck weight pilot project applies to all portions of the interstate system including the Maine Turnpike. The amendment further provides that currently authorized exemptions and exceptions apply to vehicles under this pilot project.

Enacted Law Summary

Public Law 2009, chapter 469 authorizes 6-axle combination vehicles consisting of 3-axle truck tractors with tri-axle semitrailers of up to 100,000 pounds gross vehicle weight to operate on the Maine Interstate Highway System, for as long as a federal law exempting the State from the 80,000-pound limit is in effect, if otherwise in compliance with all other requirements of the Maine Revised Statutes, Title 29-A. It also provides that currently authorized exemptions and exceptions apply to vehicles under this pilot project. It also clarifies that the 6-axle truck weight pilot project applies to all portions of the interstate system including the Maine Turnpike.

Public Law 2009, chapter 469 was enacted as an emergency measure effective February 12, 2010. The law applies retroactively to December 16, 2009, the effective date of the federal legislation authorizing the exemption from the federal weight limit.

**LD 1746 An Act To Make Allocations from Maine Turnpike Authority Funds for
the Maine Turnpike Authority for the Calendar Year Ending December
31, 2011**

P & S 34

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	S-371

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, 2011 in accordance with the requirements of the Maine Revised Statutes, Title 23, section 1961, subsection 6.

Committee Amendment "A" (S-371)

This committee amendment incorporates a fiscal note.

Enacted Law Summary

Private and Special Law 2009, chapter 34 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, 2011 in accordance with the requirements of the Maine Revised Statutes, Title 23, section 1961, subsection 6.

**LD 1754 Resolve, Naming the Bridge over Pattagumpus Stream the Nicatou
Bridge**

**RESOLVE 160
EMERGENCY**

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

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This resolve directs the Department of Transportation to name the new bridge over the Pattagampus Stream in the Town of Medway the Nicatou Bridge.

Enacted Law Summary

Resolve 2009, chapter 160 directs the Department of Transportation to name the new bridge over the Pattagampus Stream in the Town of Medway the Nicatou Bridge.

Resolve 2009, chapter 160 was finally passed as an emergency measure effective March 16, 2010.

LD 1763 Resolve, Directing the Department of Transportation To Place Signs at the Interstate Exits in Pittsfield Directing Motorists to Maine Central Institute

RESOLVE 172

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FITTS MARRACHE	OTP-AM	H-694

This resolve directs the Department of Transportation to place directional signs on Interstate 95 at the northbound and southbound exits of the highway at Pittsfield to direct motorists to Maine Central Institute in Pittsfield.

Committee Amendment "A" (H-694)

This amendment adds a preamble to the resolve and provides that Maine Central Institute will assume all costs associated with the directional signs.

Enacted Law Summary

Resolve 2009, chapter 172 directs the Department of Transportation to place directional signs on Interstate 95 at the northbound and southbound exits of the highway at Pittsfield to direct motorists to Maine Central Institute in Pittsfield. It also provides that Maine Central Institute will assume all costs associated with the directional signs.

LD 1772 An Act To Allow the Secretary of State to Issue a State Commercial Driver's License to the Holder of a Military Commercial Driver's License

ONTP

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

This bill authorizes the Secretary of State to issue a commercial driver's license without an examination to an applicant who holds a valid commercial driver's license issued by the United States Armed Forces. It requires the Secretary of State to adopt rules governing the issuance of a commercial driver's license to an applicant who holds a valid commercial driver's license issued by the United States Armed Forces.

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SUBJECT INDEX

Aeronautics

Enacted

LD 1663 An Act Relating to the Maine Aeronautical Advisory Board PUBLIC 485

Bridges

Enacted

LD 1606 Resolve, To Name a Bridge in North Berwick the North Berwick Veterans Memorial Bridge RESOLVE 144 EMERGENCY

LD 1754 Resolve, Naming the Bridge over Pattagumpus Stream the Nicatou Bridge RESOLVE 160 EMERGENCY

Not Enacted

LD 1669 Resolve, To Name the New Bridge over Gilman Stream in New Portland the Joshua Bernard Memorial Bridge LEAVE TO WITHDRAW

General Highway Fund

Enacted

LD 1728 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 State Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2010 and June 30, 2011 PUBLIC 600 EMERGENCY

Not Enacted

LD 1501 An Act To Dedicate Surplus Transportation Funds to Highway Maintenance and Paving ACCEPTED ONTP REPORT

LD 1641 An Act To Direct Funds from the Highway Fund to the Highway and Bridge Light Capital Program ACCEPTED ONTP REPORT

Miscellaneous - Transportation

Enacted

LD 1561 An Act To Regulate the Use of Automated License Plate Recognition Systems PUBLIC 605

Not Enacted

LD 1320 **An Act To Ensure the Availability of Alcohol-free Motor Fuels** **ONTP**

Motor Carriers

Enacted

LD 1736 **An Act To Improve Safety on Maine's Primary and Secondary Roads, Reduce Road Maintenance Costs and Improve the Environment and the Economy by Allowing Certain Heavy Commercial Vehicles on the Interstate Highway System in Maine** **PUBLIC 469
EMERGENCY**

Motor Vehicles

Enacted

LD 1562 **An Act To Amend the Motor Vehicle Laws** **PUBLIC 598**

Operator's License

Not Enacted

LD 1772 **An Act To Allow the Secretary of State to Issue a State Commercial Driver's License to the Holder of a Military Commercial Driver's License** **ONTP**

Railroads

Not Enacted

LD 1638 **An Act To Impose Service Requirements on Railroads That Receive Funds from the Department of Transportation** **ONTP**

LD 1678 **Resolve, Directing the Department of Transportation To Review the Fiscal Impact on the State of the Closure of the Railroad Track between Madawaska and Millinocket** **ONTP**

Registration Plates

Enacted

LD 1570 **An Act To Amend the Laws Governing the We Support Our Troops Registration Plates** **PUBLIC 481**

Not Enacted

LD 1555 **An Act To Require the Bureau of Motor Vehicles To Accept Certification of Disability from the United States Department of Veterans Affairs** **ONTP**

LD 1655 **An Act To Preserve the "We Support Our Troops" Registration Plate** **ONTP**

Roads

Enacted

LD 1502	Resolve, To Name Route 16/27 in the Town of Stratton the Caleb Dalton Stevens Memorial Highway	RESOLVE 145
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Signs

Enacted

LD 1763	Resolve, Directing the Department of Transportation To Place Signs at the Interstate Exits in Pittsfield Directing Motorists to Maine Central Institute	RESOLVE 172
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Not Enacted

LD 1670	Resolve, To Authorize the Placement of a Sign at Saddleback Mountain	ONTP
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Traffic Regulations

Enacted

LD 1503	An Act To Establish Emergency Zones on Public Ways To Minimize Accidents	PUBLIC 554
LD 1640	An Act To Provide for the Safety of Maine Athletes	PUBLIC 484
LD 1642	An Act Relating to Road Noise	PUBLIC 639
LD 1675	An Act To Reduce Noise Caused by Motorcycles and Improve Public Health	PUBLIC 624

Transportation Department

Enacted

LD 1639	An Act To Stimulate the Maine Economy and Promote the Development of Maine's Priority Transportation Infrastructure Needs	PUBLIC 648
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Not Enacted

LD 1605	Resolve, Authorizing the Transfer of State Land to the Natural Resource Education Center of Greenville	ONTP
LD 1719	An Act To Encourage Tourism by Ensuring the Safety, Accessibility and Availability of Highway Rest Stops and Scenic Overlooks	ACCEPTED ONTP REPORT

Turnpike Authority

Enacted

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