

STATE OF MAINE
125TH LEGISLATURE
SECOND REGULAR SESSION



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

JOINT STANDING COMMITTEE ON TRANSPORTATION

June 2012

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LD 198 An Act To Update Motor Vehicle Safety Inspection Laws ONTP

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

This bill was carried over from the First Regular Session of the 125th Legislature.

The bill, which is a concept draft pursuant to Joint Rule 208, makes changes to the motor vehicle safety inspection laws to improve safety, provide administrative efficiency and reduce costs.

LD 697 An Act To Provide Funding for the Maine Gateway Bridges ONTP

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

This bill was carried over from the First Regular Session of the 125th Legislature.

The bill includes an ongoing allocation of \$5,500,000 to the Department of Transportation, Highway and Bridge Capital program in fiscal years 2011-12 and 2012-13 to provide funding for the replacement, repair and maintenance of the 3 bridges between Kittery, Maine and Portsmouth, New Hampshire: Memorial Bridge, U.S. Route 1; Sarah Mildred Long Bridge, U.S. Route 1 Alternate; and Piscataqua River Bridge, Interstate 95. Beginning with the 2014-2015 biennium, and each subsequent biennium, the bill provides that this amount must be included within the baseline Highway Fund allocations. It also requires that the State comply with the funding recommendations of the Bi-State Bridge Funding Task Force.

LD 1064 Resolve, To Expand the Scope of the Study of Existing Highway Infrastructure and Future Capacity Needs West of Route 1 in York and Cumberland Counties Being Conducted by the Department of Transportation and the Maine Turnpike Authority ONTP

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

This bill was carried over from the First Regular Session of the 125th Legislature.

The bill expands the scope of the study of existing highway infrastructure and future capacity needs west of Route 1 in York and Cumberland counties, including the greater Gorham and Sanford areas, which is being conducted by the Department of Transportation and the Maine Turnpike Authority, to include the area west of Sanford along the United States Route 202 corridor to the New Hampshire border. The bill also requires the Department of Transportation and the Maine Turnpike Authority to report the results of their study to the Joint Standing Committee

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on Transportation and allows the committee to submit a bill to the Legislature upon receipt and review of the report.

**LD 1124 An Act To Authorize the Use of Traffic Surveillance Cameras To Prove ONTP
and Enforce Violations of Overtaking and Passing School Buses**

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

This bill was carried over from the First Regular Session of the 125th Legislature.

The bill allows a municipality, law enforcement agency or school administrative unit to enforce violations of overtaking and passing a school bus through the use of traffic surveillance cameras and automated license plate recognition systems that are attached to a school bus, and requires a fine imposed for a violation of overtaking and passing a school bus to accrue to the municipality in which the violation occurred.

The bill also makes technical corrections by removing references to the term "forfeitures" to reflect the current usage in the statutes of the term "fine."

LD 1367 An Act To Restore Maine's Secondary Roads PUBLIC 652

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THOMAS	OTP-AM	S-452 S-561 COLLINS

This bill was carried over from the First Regular Session of the 125th Legislature.

The bill establishes the Secondary Roads Fund as a dedicated, nonlapsing account within the Department of Transportation for the purpose of financing capital improvements to state aid minor collector highways.

The bill provides that revenues generated from the use of land and assets, including, but not limited to, rights-of-way and other property owned by the department must be deposited into the Secondary Roads Fund. The bill also requires that any funds received by the department for damage to state property under the jurisdiction of the department must be deposited into the Secondary Roads Fund.

The bill increases the annual fee for a vanity registration plate by \$10, from \$25 to \$35, which is to be deposited into the Secondary Roads Fund.

The bill also requires that, except as otherwise provided, all fines for traffic infractions and other violations of the motor vehicle statutes accrue to the Secondary Roads Fund. The bill requires that any balance remaining in the Law Enforcement Agency Reimbursement Fund at the end of the fiscal year must be transferred to the Secondary Roads Fund.

Current law directs that state funding for the Bureau of State Police within the Department of Public Safety be allocated as follows: 49% from the Highway Fund and 51% from the General Fund. The bill provides that, beginning in fiscal year 2012-13, the proportional split between Highway Fund allocations and General Fund

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appropriations to the State Police budgetary appropriation program must be as follows: 25% must be allocated from the Highway Fund and 75% must be appropriated from the General Fund. The bill also provides that an amount equal to 24% of state funding for the Bureau of State Police be allocated from the Highway Fund to the Secondary Roads Fund.

The bill directs the Department of Transportation to set aside 10% of any available federal funds to be deposited into the Secondary Roads Fund for federally eligible projects. The bill also provides that federal funds may be used in lieu of local funds, except that the local share may not be less than 10% of the total project cost.

The bill authorizes the Commissioner of Transportation to authorize, for a fee, the placement of off-premises signs within the right-of-way of an interstate highway, a state highway or a state aid highway. The bill also provides that fees collected by the department for the placement of such off-premises signs must be deposited into the Secondary Roads Fund.

Committee Amendment "A" (S-452)

This amendment strikes from the bill the following:

1. The requirement that any balance remaining in the Law Enforcement Agency Reimbursement Fund at the end of the fiscal year must be transferred to the Secondary Roads Fund;
2. The requirement that any damages paid to the Department of Transportation must be transferred to the Secondary Roads Fund;
3. The requirement that any proceeds from leasing, letting or renting Department of Transportation property must be transferred to the Secondary Roads Fund;
4. The Commissioner of Transportation's authorization to allow, for a fee, the placement of off-premises signs within the right-of-way of an interstate highway, a state highway or state aid highway and the requirement that the fees collected by the Department of Transportation for the placement of such off-premises signs must be deposited into the Secondary Roads Fund;
5. The change to the proportional split between Highway Fund allocations and General Fund appropriations to the Department of Public Safety, Bureau of State Police budgetary appropriation program to 25% allocated from the Highway Fund and 75% appropriated from the General Fund and the requirement that an amount equal to 24% of state funding for the Bureau of State Police be allocated from the Highway Fund to the Secondary Roads Fund;
6. The increase of the annual fee for a vanity registration plate by \$10, from \$25 to \$35, to be deposited into the Secondary Roads Fund; and
7. The requirement that, except as otherwise provided, all fines for traffic infractions and other violations of the motor vehicle statutes accrue to the Secondary Roads Fund.

The bill establishes the Secondary Roads Fund as a dedicated account within the Department of Transportation for the purpose of financing capital improvements to state aid minor collector highways. The amendment changes the purpose of the Secondary Roads Fund to include financing capital improvements to state aid major collector highways as well as state aid minor collector highways and changes its name to the Secondary Road Program Fund.

The amendment also renames the Urban-Rural Initiative Program as the Local Road Assistance Program.

The bill provides that any revenue derived from the use of department land and assets for energy infrastructure development will no longer be deposited into the energy infrastructure benefits fund and will instead be deposited into the Secondary Roads Fund. The amendment clarifies that revenues generated from the use of designated

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statutory corridors, Interstate 295 and Interstate 95, not including that portion of Interstate 95 designated as the Maine Turnpike, must be deposited into the Secondary Road Program Fund. Current law directs the Maine Turnpike Authority to negotiate with the Department of Transportation to govern the conditions under which the authority will grant an occupancy agreement for use of Maine Turnpike Authority property as part of the Interstate 95 statutory corridor.

This amendment changes the effective date of the bill from July 1, 2012 to July 1, 2013.

Senate Amendment "A" To Committee Amendment "A" (S-561)

This amendment changes the percentage of revenue generated from the use of statutory corridors owned by the Department of Transportation and deposited into the Secondary Road Program Fund from 100% to 90%, with the remaining 10% deposited into the energy infrastructure benefits fund.

Enacted Law Summary

Public Law 2011, chapter 652 establishes the Secondary Road Program Fund as a dedicated account within the Department of Transportation for the purpose of financing capital improvements to state aid minor collector highways and state aid major collector highways.

The law also renames the Urban-Rural Initiative Program as the Local Road Assistance Program.

The law provides that 90% of the revenue derived from the use of statutory corridors owned by the Department of Transportation within energy infrastructure corridors must be deposited into the Secondary Road Program Fund and the remaining 10% must be deposited into the energy infrastructure benefits fund.

The effective date of Public Law 2011, chapter 652 is July 1, 2013.

LD 1593 **Resolve, To Name Route 1-A between Brewer and Ellsworth the Korean War Veterans Memorial Highway**

RESOLVE 117

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROSEN K ROSEN R	OTP-AM	H-693

This resolve names the portion of United States Route 1-A between the City of Brewer and the City of Ellsworth the Korean War Veterans Highway, to honor all United States Armed Forces veterans of the Korean War.

Committee Amendment "A" (H-693)

This amendment changes the name from Korean War Veterans Highway, as proposed in the bill, to the Korean War Veterans Memorial Highway.

Enacted Law Summary

Resolve 2011, chapter 117 names the portion of United States Route 1-A between the City of Brewer and the City of Ellsworth the Korean War Veterans Memorial Highway, to honor all United States Armed Forces veterans of the Korean War.

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LD 1604 Resolve, Directing the Department of Public Safety, Bureau of State Police To Review Motor Vehicle Inspection Rules ONTP

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

This resolve directs the Department of Public Safety, Bureau of State Police to review its rules governing motor vehicle inspection requirements regarding tire size, to solicit input from interested parties and to develop recommendations designed to eliminate unnecessary restrictions while maintaining necessary safety requirements. The resolve requires the bureau to report its findings and recommendations to the Joint Standing Committee on Transportation.

LD 1611 Resolve, To Create a License Plate To Recognize the 2014 World Acadian Congress RESOLVE 156

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN J JACKSON	OTP-AM	H-742 S-437 COLLINS

This resolve creates a special commemorative, simulated motor vehicle registration plate in celebration of the 2014 World Acadian Congress. The Secretary of State is directed to design and issue the plate, which may be displayed through the end of 2015 in place of the front registration plate. Revenue generated by the sale of the plate in excess of the cost of production and issuance will be given to the Maine Acadian Heritage Council to help with the costs for hosting the 2014 World Acadian Congress.

Committee Amendment "A" (H-742)

This amendment directs the Secretary of State to issue the World Acadian Congress commemorative plate established in the resolve at no cost to the Secretary of State. The amendment also provides that the commemorative plate must bear the date of its expiration, which is December 31, 2015. The amendment specifies that the plate may be displayed in place of the front registration plate by covering, but not removing, the front registration plate. The amendment also directs the Secretary of State to develop a plan for the sale and distribution of the World Acadian Congress commemorative plates. The amendment adds an appropriations and allocations section to the resolve.

Senate Amendment "A" To Committee Amendment "A" (S-437)

This amendment corrects the name of the organization, from the "Maine Acadian Heritage Council" as proposed in the bill to "Comite organisateur du Congres mondial acadien 2014," with which the Secretary of State must consult in the design of the special commemorative plate.

Enacted Law Summary

Resolve 2011, chapter 156 creates a special commemorative, simulated motor vehicle registration plate in celebration of the 2014 World Acadian Congress.

The law directs the Secretary of State to:

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1. Design the commemorative plate in consultation with the Comite organisateur du Congres mondial acadien 2014;
2. Issue the plate, which may be displayed through the end of 2015 in place of the front registration plate by covering, but not removing, the front registration plate; and
3. Develop a plan for the sale and distribution of the World Acadian Congress commemorative plates.

LD 1615 Resolve, To Name Two Bridges in the Town of Harmony

**RESOLVE 115
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THOMAS	OTP-AM	S-374

This resolve names the bridge on State Route 150 that crosses Higgins Stream in the Town of Harmony the Amy, Monica and Coty Lake Bridge and names the bridge on State Route 154 that crosses the Sebesticook River at Mainstream in the Town of Harmony the Remember Me Bridge.

Committee Amendment "A" (S-374)

This amendment:

1. Adds an emergency preamble and emergency clause to the resolve;
2. Clarifies that the bridge on State Route 150 that crosses Higgins Stream in the Town of Harmony is to be designated as the Amy, Coty and Monica Bridge; and
3. Includes the Department of Transportation number designations of the bridges to be renamed.

Enacted Law Summary

Resolve 2011, chapter 115 names the bridge on State Route 150 that crosses Higgins Stream in the Town of Harmony the Amy, Coty and Monica Bridge and names the bridge on State Route 154 that crosses the Sebesticook River at Mainstream in the Town of Harmony the Remember Me Bridge.

Resolve 2011, chapter 115 was finally passed as an emergency measure effective February 21, 2012.

**LD 1617 An Act To Authorize the Commissioner of Transportation To Allow
Certain Vehicles To Operate on the Interstate System**

**PUBLIC 482
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SCHNEIDER	OTP-AM	S-376

This bill allows the Commissioner of Transportation to adopt rules to ensure that the federal exemption allowing trucks with a maximum gross vehicle weight of 100,000 pounds on Maine's interstate system is implemented correctly.

Committee Amendment "A" (S-376)

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Under current law, for as long as the federal law affording an exemption from the federal vehicle weight limitations for vehicles operating on all portions of the interstate system is in effect, a 6-axle combination vehicle consisting of a 3-axle truck tractor with a tri-axle semitrailer having a maximum gross vehicle weight of 100,000 pounds may be operated on any portion of the interstate system.

This amendment allows the Commissioner of Transportation, for as long as the federal exemption is in place, to adopt routine technical rules to allow a vehicle to operate on the interstate system if the vehicle complies with state law relating to weight, axle and configuration limits applicable to the operation of vehicles on public ways other than the interstate system.

Enacted Law Summary

Public Law 2011, chapter 482 allows the Commissioner of Transportation, for as long as the federal law affording an exemption from the federal vehicle weight limitations for vehicles operating on all portions of the interstate system is in effect, to adopt routine technical rules to allow a vehicle to operate on the interstate system if the vehicle complies with state law relating to weight, axle and configuration limits applicable to the operation of vehicles on public ways other than the interstate system.

Public Law 2011, chapter 482 was enacted as an emergency measure effective March 5, 2012.

LD 1621 An Act To Remove a Barrier to Response by Emergency Medical Personnel MAJORITY (ONTP) REPORT

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

This bill provides an exception from the seat belt requirement for emergency medical personnel who are providing treatment to patients being transported to a medical facility.

Committee Amendment "A" (S-386)

This amendment, which is the minority report, strikes and replaces the bill. The amendment requires an emergency medical services person in the back of an ambulance to wear a seat belt or safety harness unless being secured by a seat belt or safety harness inhibits the person from administering medical aid.

LD 1623 An Act To Simplify Toll Discounts and Amend Certain Powers and Procedures of the Maine Turnpike Authority PUBLIC 476 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLLINS	OTP-AM	S-373

This bill amends the Maine Turnpike Authority enabling law by distinguishing between assets that the authority is required to maintain as part of its core mission and those that it is merely permitted to maintain as necessary or convenient to that mission.

The bill eliminates a requirement that the authority provide a commuter discount and eliminates a prohibition on imposing variable pricing based on the time of day. Instead, the authority is allowed to provide a reduction in the

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rates of fees, fares and tolls to any class of vehicle based upon volume of use.

The bill removes a requirement that the authority use certified mail in lieu of regular mail to send notices of toll liability, which will provide an estimated cost savings of more than \$5 per notice. A written statement from the authority will constitute evidence of the mailing.

The bill removes a prohibition against assessing an administrative fee for a violation by a tractor-trailer combination. This restriction was imposed at a time when the authority lacked capacity to take video images of the front license plate to determine the owner of the truck. Because the authority now takes video images of the front and rear of all vehicles, it is able to identify the registered owners of both the truck and trailer and charge an administrative fee to the appropriate party.

Committee Amendment "A" (S-373)

This amendment retains most of the provisions of the bill and:

1. Clarifies that the requirement that the Maine Turnpike Authority allocate 5% of its annual operating revenues for Department of Transportation projects is subordinate to the authority's obligation to pay its operating expenses and bond debt;
2. Clarifies that the definition of "operating revenues" includes amounts pledged to debt service and amounts required for operating expenditures; and
3. Amends the provision in the bill relating to a prohibition on imposing variable pricing based on time of day. The amendment retains language allowing such a prohibition.

Enacted Law Summary

Public Law 2011, chapter 476 amends the Maine Turnpike Authority enabling law by distinguishing between assets that the authority is required to maintain as part of its core mission and those that it is merely permitted to maintain as necessary or convenient to that mission. It clarifies that the requirement that the Maine Turnpike Authority allocate 5% of its annual operating revenues for Department of Transportation projects is subordinate to the authority's obligation to pay its operating expenses and bond debt. It also clarifies that the definition of "operating revenues" includes amounts pledged to debt service and amounts required for operating expenditures.

The law eliminates a requirement that the authority provide a commuter discount. Instead, the authority is allowed to provide a reduction in the rates of fees, fares and tolls to any class of vehicle based upon volume of use.

The law removes a requirement that the authority use certified mail in lieu of regular mail to send notices of toll liability, which will provide an estimated cost savings of more than \$5 per notice. A written statement from the authority will constitute evidence of the mailing.

The law also removes a prohibition against assessing an administrative fee for a violation by a tractor-trailer combination. This restriction was imposed at a time when the authority lacked capacity to take video images of the front license plate to determine the owner of the truck. Because the authority now takes video images of the front and rear of all vehicles, it is able to identify the registered owners of both the truck and trailer and charge an administrative fee to the appropriate party.

Public Law 2011, chapter 476 was enacted as an emergency measure effective February 22, 2012.

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LD 1642 Resolve, To Direct the Department of Transportation To Restrict Spending on the Ricker Hill Bridge in the Town of Turner ONTP

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

This resolve prohibits the Department of Transportation from exceeding the amount of \$350,000 to build a bridge on the Ricker Hill Road over Martin Stream in the Town of Turner.

LD 1656 An Act To Clarify the Registration Exemption of Tractors under the Motor Vehicle Laws ONTP

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

This bill amends the registration exemption for tractors under the motor vehicle laws to clarify that tractors used solely on residential premises are exempt from registration requirements.

LD 1661 Resolve, To Allow Signs along Interstate 95 for the Town of Kittery and Its Businesses and Other Establishments LEAVE TO WITHDRAW

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

This resolve directs the Department of Transportation to erect and maintain signs in Kittery on Interstate 95 that direct travelers to locations of businesses and other establishments in the town, since Memorial Bridge between Kittery, Maine and Portsmouth, New Hampshire has closed.

LD 1671 Resolve, To Require the Department of Transportation To Facilitate and Oversee a Study of the Feasibility of an East-west Highway RESOLVE 147

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THOMAS	OTP-AM MAJ ONTP MIN	H-805 CEBRA S-398

This bill includes a one-time General Fund appropriation of \$300,000 in fiscal year 2011-12 to the Department of Transportation to cover the costs associated with an independent feasibility study of an east-west highway.

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Committee Amendment "A" (S-398)

This amendment, which is the majority report, strikes and replaces the bill with a resolve and removes the emergency preamble, emergency clause and one-time General Fund appropriation of \$300,000 in fiscal year 2011-12 to the Department of Transportation to cover the costs associated with an independent feasibility study of an east-west highway.

The amendment directs the Department of Transportation to facilitate and oversee an independent feasibility study of an east-west highway and to report the study findings to the joint standing committee of the Legislature having jurisdiction over transportation matters by January 15, 2013.

House Amendment "B" To Committee Amendment "A" (H-805)

This amendment provides that, upon obtaining final authorization to construct an east-west highway, the developer must reimburse the Department of Transportation for the cost of the independent traffic and revenue analysis.

Enacted Law Summary

Resolve 2011, chapter 147 directs the Department of Transportation to facilitate and oversee an independent feasibility study of an east-west highway and to report the study findings to the Joint Standing Committee on Transportation by January 15, 2013.

The law also provides that, upon obtaining final authorization to construct an east-west highway, the developer must reimburse the Department of Transportation for the cost of the independent traffic and revenue analysis.

LD 1672 An Act To Allow Disabled Veterans To Receive 2 Sets of Special Designating License Plates ONTP

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

This bill allows a disabled veteran to receive 2 sets of special designating license plates if the veteran is the registered owner of 2 motor vehicles.

LD 1677 An Act To Modernize Maine's Motor Vehicle Inspection Program ONTP

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

This bill, which is a concept draft pursuant to Joint Rule 208, proposes to modernize the motor vehicle inspection program by adopting an electronic inspection program.

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LD 1710 An Act To Amend the Motor Vehicle Laws

PUBLIC 556

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CEBRA COLLINS	OTP-AM	H-763

This bill:

1. Changes the repeal date for autocycle registrations to coincide with changes made in Public Law 2011, chapter 356;
2. Allows agents appointed by the Secretary of State to renew nondriver identification cards in addition to noncommercial driver's licenses and to issue duplicates of those documents;
3. Removes obsolete language referencing "driver education teachers;"
4. Requires the Secretary of State, in consultation with the Commissioner of Transportation, to establish by rule the fees for vehicles covered by long-term overlimit permits; and
5. Limits to the first 6 years of registration the basing of the excise tax on the purchase price, rather than the list price, of a truck or a truck tractor weighing more than 26,000 pounds or Class A special mobile equipment.

Committee Amendment "A" (H-763)

This amendment:

1. Clarifies that agents authorized by the Secretary of State to issue noncommercial driver's license renewals and nondriver identification card renewals may issue duplicates of noncommercial driver's license renewals but not duplicates of nondriver identification card renewals as stated in the bill;
2. Authorizes the Secretary of State to issue an agriculture education plate in another sequence in addition to a 3-number and 3-letter sequence at the discretion of the Secretary of State;
3. Authorizes the Secretary of State to issue unassigned temporary registration permits to a licensed auction business when the licensed auction business sells a vehicle to a dealer;
4. Allows a vehicle to be sold at a licensed dealer auction to a licensed dealer prior to the dealer's possessing the title and clarifies that the licensed dealer may take possession of the vehicle;
5. Removes the provision that to qualify for a dealer license an applicant must maintain a repair department for the repair of 2 vehicles simultaneously;
6. Allows a motor vehicle rental company to be issued transporter plates and a license to transport a vehicle owned by or in the custody of that business or its owner;
7. Clarifies that a person under 18 years of age who has been issued a driver's license may not use a handheld electronic device while operating a motor vehicle, whether or not that person has an intermediate license;
8. Clarifies that the Technical Review Panel, which assists the Secretary of State in developing driver education

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curriculum and instructor training and certification, includes 2 instructors;

9. Clarifies that the Secretary of State, in consultation with the Commissioner of Transportation, is directed and authorized to establish a fee schedule, by routine technical rulemaking, for vehicles covered by long-term overlimit movement permits;

10. Provides that the weight tolerance allowed under current law for a vehicle loaded with building materials that absorb moisture is not dependent upon whether the vehicle's delivery originates and terminates within the State; and

11. Strikes the provision in the bill limiting the basing of the excise tax on a truck or truck tractor weighing more than 26,000 pounds or Class A special mobile equipment on the purchase price for the first 6 years of registration.

Enacted Law Summary

Public Law 2011, chapter 556 makes changes to the motor vehicle laws.

1. It changes the repeal date for autocycle registrations to coincide with changes made in Public Law 2011, chapter 356.
2. It allows agents appointed by the Secretary of State to issue noncommercial driver's license renewals to also issue nondriver identification card renewals. The law provides that agents may issue duplicates of noncommercial driver's license renewals but not duplicates of nondriver identification card renewals.
3. It removes obsolete language referencing "driver education teachers."
4. It directs and authorizes the Secretary of State, in consultation with the Commissioner of Transportation, to establish a fee schedule, by routine technical rulemaking, for vehicles covered by long-term overlimit movement permits.
5. It authorizes the Secretary of State to issue an agriculture education plate in another sequence in addition to a 3-number and 3-letter sequence at the discretion of the Secretary of State.
6. It authorizes the Secretary of State to issue unassigned temporary registration permits to a licensed auction business when the licensed auction business sells a vehicle to a dealer.
7. It allows a vehicle to be sold at a licensed dealer auction to a licensed dealer prior to the dealer's possessing the title and clarifies that the licensed dealer may take possession of the vehicle.
8. It removes the requirement that to qualify for a dealer license an applicant must maintain a repair department for the repair of 2 vehicles simultaneously.
9. It allows a motor vehicle rental company to be issued transporter plates and a license to transport a vehicle owned by or in the custody of that business or its owner.
10. It clarifies that a person under 18 years of age who has been issued a driver's license may not use a handheld electronic device while operating a motor vehicle, whether or not that person has an intermediate license.
8. It clarifies that the Technical Review Panel, which assists the Secretary of State in developing driver education curriculum and instructor training and certification, includes 2 instructors.
10. It provides that the weight tolerance allowed under current law for a vehicle loaded with building materials that absorb moisture is not dependent upon whether the vehicle's delivery originates and terminates within the State.

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LD 1736 An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2013

P & S 21

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

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, 2013, in accordance with the requirements of the Maine Revised Statutes, Title 23, section 1961, subsection 6.

Enacted Law Summary

Private and Special Law 2011, chapter 21 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, 2013, in accordance with the requirements of the Maine Revised Statutes, Title 23, section 1961, subsection 6.

LD 1753 An Act To Improve Transportation in the State

PUBLIC 610

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLLINS	OTP-AM MAJ OTP-AM MIN	S-480

Part A eliminates the requirement that commercial airports, utility airports, private airports with commercial activity, heliports and temporary landing areas be registered with the Department of Transportation. It also eliminates the requirement that all aircraft, in addition to registering with the Federal Aviation Administration, be registered with the State. It removes the requirement that individuals obtain a permit from the department prior to launching a rocket or missile. Finally, it removes the requirement that the department train and certify airport managers.

Part B refines the capital goals of the Department of Transportation.

Part C removes, at the request of the New Brunswick provincial government, the requirement that there be a sign on Interstate 95 directing travelers to the "Maritime Provinces" and "Northern Maritime Provinces" since those are incorrect names.

Part D requires the Department of Transportation to develop proposed legislation that reestablishes the Maine-New Hampshire Interstate Bridge Authority in accordance with the recommendations of the Bi-State Bridge Funding Task Force.

Committee Amendment "A" (S-480)

This amendment:

1. Makes a technical correction to the provisions relating to the Department of Transportation's capital transportation program goals and Priority 1, 2 and 3 corridors;
2. Revises the directive to the Department of Transportation regarding the development of legislation to reestablish

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the Maine-New Hampshire Interstate Bridge Authority; and

3. Names Bridge 3009 over the West Branch of the Penobscot River in the Town of Medway the Nicatou Bridge.

Enacted Law Summary

Public Law 2011, chapter 610 eliminates the requirement that commercial airports, utility airports, private airports with commercial activity, heliports and temporary landing areas be registered with the Department of Transportation. It also eliminates the requirement that all aircraft, in addition to registering with the Federal Aviation Administration, be registered with the State. It removes the requirement that individuals obtain a permit from the department prior to launching a rocket or missile. Finally, it removes the requirement that the department train and certify airport managers.

The law also refines the capital goals of the Department of Transportation.

The law removes, at the request of the New Brunswick provincial government, the requirement that there be a sign on Interstate 95 directing travelers to the "Maritime Provinces" and "Northern Maritime Provinces" since those are incorrect names.

The law provides a directive to the Department of Transportation regarding the development of legislation to reestablish the Maine-New Hampshire Interstate Bridge Authority.

The law names Bridge 3009 over the West Branch of the Penobscot River in the Town of Medway the Nicatou Bridge.

LD 1795 An Act Regarding the Oversight and Safety of Certain Commercial Vessels Operating in Maine Waters

PUBLIC 498

Sponsor(s)

FITTS

Committee Report

OTP

Amendments Adopted

Current law allows foreign flag ferry vessels to enter Maine waters without a state pilot on board. All other foreign flag commercial vessels are required to take a pilot if their draft is 9 feet or more. This bill removes current exemptions from state pilotage requirements for foreign flag ferry vessels.

Enacted Law Summary

Public Law 2011, chapter 498 removes certain exemptions from the state pilotage requirements for foreign flag vessels so that all foreign flag commercial vessels are required to take a pilot if their draft is 9 feet or more. The previous exemptions applied to a vessel on regularly scheduled ferry operations between Bar Harbor, Maine and Yarmouth, Nova Scotia and a vessel in the Port of Portland.

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LD 1807 Resolve, Directing the Maine Turnpike Authority To Place Signs on Interstate 95 Directing Motorists to the Southern Maine Veterans Memorial Cemetery in Springvale RESOLVE 127

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

This resolve directs the Maine Turnpike Authority to place signs directing motorists to the Southern Maine Veterans Memorial Cemetery in Springvale on the portion of Interstate 95 designated as the Maine Turnpike on the northbound and southbound lanes of the highway.

Enacted Law Summary

Resolve 2011, chapter 127 directs the Maine Turnpike Authority to place signs directing motorists to the Southern Maine Veterans Memorial Cemetery in Springvale on the portion of Interstate 95 designated as the Maine Turnpike on the northbound and southbound lanes of the highway.

LD 1808 An Act To Exempt from the Prohibition against Text Messaging While Driving Emergency Personnel Who Are Acting in the Course of Their Duties ONTP

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

This bill provides an exemption to the prohibition against text messaging while operating a motor vehicle for emergency medical services' persons, firefighters and law enforcement officers acting in the course of their duties.

LD 1896 An Act To Provide a Temporary Registration Permit to Certain Members of the Armed Forces PUBLIC 605

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO	OTP-AM	S-498

This bill authorizes the Secretary of State to provide a temporary registration plate to a member of the United States Armed Forces to operate a motor vehicle or trailer for 30 days if that service member has recently returned to the State from a deployment outside the continental United States.

Committee Amendment "A" (S-498)

This amendment authorizes the Secretary of State to provide a temporary registration permit, instead of a temporary registration plate, to a member of the United States Armed Forces to operate a motor vehicle or trailer for 30 days if that service member has returned to the State from a deployment outside the continental United States. The amendment gives the Secretary of State discretion on whether to adopt rules to establish the application criteria. The

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amendment also removes the fee requirement.

Enacted Law Summary

Public Law 2011, chapter 605 authorizes the Secretary of State to provide a temporary registration permit to a member of the United States Armed Forces to operate a motor vehicle or trailer for 30 days if that service member has returned to the State from a deployment outside the continental United States. The law gives the Secretary of State discretion whether to adopt rules to establish the application criteria.

LD 1907 An Act Making Supplemental Appropriations and Allocations for the Expenditures of State Government, Highway Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2012 and June 30, 2013

**PUBLIC 649
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CEBRA COLLINS	OTP-AM MAJ OTP-AM MIN	H-931

Part A makes appropriations and allocations.

Part B makes allocations of funds for approved reclassifications.

Part C increases the attrition rate for fiscal year 2012-13 from 5% to 6% for executive branch departments and agencies and the judicial branch. It also requires the State Budget Officer to calculate the savings in Part A that result from attrition and to transfer the savings by financial order upon approval of the Governor.

Part D requires the State Budget Officer to calculate the savings from a decrease in charges made by the Department of Administrative and Financial Services, Division of Financial and Personnel Services for its services and to transfer those savings by financial order upon the approval of the Governor.

Part E does the following:

1. It renames the State Transit, Aviation and Rail Transportation Fund, or STAR, program the Multimodal Transportation program and changes the program from an enterprise fund program to an Other Special Revenue Funds program.
2. It repeals a provision that required the annual transfer of \$100,000 in gasoline tax revenue from the Highway Fund to the STAR program.
3. It renames several programs within the Department of Transportation as follows: the Administration - Aeronautics program is renamed the Multimodal - Aviation program; the Railroad Assistance Program is renamed the Multimodal - Freight program; the Marine Highway Transportation program is renamed the Multimodal - Island Ferry Service program; the Ports and Marine Transportation program is renamed the Multimodal - Ports and Marine program; and the Public Transportation program is renamed the Multimodal - Transit program.
4. It creates a new program, the Multimodal - Passenger Rail program.

Committee Amendment "A" (H-931)

This amendment is the majority report of the committee and it replaces the bill.

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Part A makes appropriations and allocations.

Part B makes allocations of funds for approved reclassifications.

Part C increases the attrition rate for fiscal year 2012-13 from 5% to 6% for executive branch departments and agencies and the judicial branch. It also requires the State Budget Officer to calculate the savings in Part A that result from attrition and to transfer the savings by financial order upon approval of the Governor. It also adds an appropriations and allocations section.

Part D requires the State Budget Officer to calculate the savings from a decrease in charges made by the Department of Administrative and Financial Services, Division of Financial and Personnel Services for its services and to transfer those savings by financial order upon the approval of the Governor. It also adds an appropriations and allocations section.

Part E does the following:

1. It renames the State Transit, Aviation and Rail Transportation Fund, or STAR, program the Multimodal Transportation program and changes the program from an enterprise fund program to an Other Special Revenue Funds program.
2. It repeals a provision that required the annual transfer of \$100,000 in gasoline tax revenue from the Highway Fund to the STAR program.
3. It renames several programs within the Department of Transportation as follows: the Administration - Aeronautics program is renamed the Multimodal - Aviation program; the Railroad Assistance Program is renamed the Multimodal - Freight program; the Marine Highway Transportation program is renamed the Multimodal - Island Ferry Service program; the Ports and Marine Transportation program is renamed the Multimodal - Ports and Marine program; and the Public Transportation program is renamed the Multimodal - Transit program.
4. It creates a new program, the Multimodal - Passenger Rail program.

Part F carries \$170,263 in Personal Services unencumbered balance forward to the Highway Fund.

Part G carries forward from fiscal year 2011-12 any unexpended balance up to \$600,000 in the All Other line category in the Administration - Motor Vehicles program, Bureau of Motor Vehicles in the Department of the Secretary of State for the acquisition and installation of an international fuel tax agreement system to replace the IFTA Regional Processing Center in New York State.

Committee Amendment "B" (H-932)

This amendment is the minority report of the committee and it replaces the bill.

Part A makes appropriations and allocations.

Part B makes allocations of funds for approved reclassifications.

Part C increases the attrition rate for fiscal year 2012-13 from 5% to 6% for executive branch departments and agencies and the judicial branch. It also requires the State Budget Officer to calculate the savings in Part A that result from attrition and to transfer the savings by financial order upon approval of the Governor. It also adds an appropriations and allocations section.

Part D requires the State Budget Officer to calculate the savings from a decrease in charges made by the Department of Administrative and Financial Services, Division of Financial and Personnel Services for its services and to

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transfer those savings by financial order upon the approval of the Governor. It also adds an appropriations and allocations section.

Part E does the following:

1. It renames the State Transit, Aviation and Rail Transportation Fund, or STAR, program the Multimodal Transportation program and changes the program from an enterprise fund program to an Other Special Revenue Funds program.
2. It repeals a provision that required the annual transfer of \$100,000 in gasoline tax revenue from the Highway Fund to the STAR program.
3. It renames several programs within the Department of Transportation as follows: the Administration - Aeronautics program is renamed the Multimodal - Aviation program; the Railroad Assistance Program is renamed the Multimodal - Freight program; the Marine Highway Transportation program is renamed the Multimodal - Island Ferry Service program; the Ports and Marine Transportation program is renamed the Multimodal - Ports and Marine program; and the Public Transportation program is renamed the Multimodal - Transit program.
4. It creates a new program, the Multimodal - Passenger Rail program.

Part F carries \$170,263 in Personal Services unencumbered balance forward to the Highway Fund.

Part G carries forward from fiscal year 2011-12 any unexpended balance up to \$600,000 in the All Other line category in the Administration - Motor Vehicles program, Bureau of Motor Vehicles in the Department of the Secretary of State for the acquisition and installation of an international fuel tax agreement system to replace the IFTA Regional Processing Center in New York State.

Enacted Law Summary

Public Law 2011, chapter 649 makes appropriations and allocations for the fiscal years ending June 30, 2012, and June 30, 2013.

It makes allocations of funds for approved reclassifications.

It increases the attrition rate for fiscal year 2012-13 from 5% to 6% for executive branch departments and agencies and the judicial branch. It also requires the State Budget Officer to calculate the savings in Part A that result from attrition and to transfer the savings by financial order upon approval of the Governor. It also adds an appropriations and allocations section.

It requires the State Budget Officer to calculate the savings from a decrease in charges made by the Department of Administrative and Financial Services, Division of Financial and Personnel Services for its services and to transfer those savings by financial order upon the approval of the Governor. It also adds an appropriations and allocations section.

It renames the State Transit, Aviation and Rail Transportation Fund, or STAR, program the Multimodal Transportation program and changes the program from an enterprise fund program to an Other Special Revenue Funds program.

It repeals a provision that required the annual transfer of \$100,000 in gasoline tax revenue from the Highway Fund to the STAR program.

It renames several programs within the Department of Transportation as follows: the Administration - Aeronautics program is renamed the Multimodal - Aviation program; the Railroad Assistance Program is renamed the

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Multimodal - Freight program; the Marine Highway Transportation program is renamed the Multimodal - Island Ferry Service program; the Ports and Marine Transportation program is renamed the Multimodal - Ports and Marine program; and the Public Transportation program is renamed the Multimodal - Transit program.

It creates a new program, the Multimodal - Passenger Rail program.

It carries \$170,263 in Personal Services unencumbered balance forward to the Highway Fund.

It carries forward from fiscal year 2011-12 any unexpended balance up to \$600,000 in the All Other line category in the Administration - Motor Vehicles program, Bureau of Motor Vehicles in the Department of the Secretary of State for the acquisition and installation of an international fuel tax agreement system to replace the IFTA Regional Processing Center in New York State.

Public Law 2011, chapter 649 was enacted as an emergency measure effective April 18, 2012.

LD 1912 An Act To Encourage Responsible Teen Driving

PUBLIC 654

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DIAMOND	OTP-AM A OTP-AM B ONTP C	H-953 CEBRA S-551

This bill does the following.

1. It provides that a person who has reached 15 years of age and who has successfully completed a driver education course may be issued a special restricted license based on educational or employment need. The bill removes the right to a hearing for a person with special restricted license whose license has been suspended.
2. It provides that a person who is 15 years of age or older may apply for an instruction permit, except that a person who is 15 years of age or older and has not attained 18 years of age must complete a course in driver education before applying for an instruction permit. The bill increases the period the instruction permit is valid from 18 months to 2 years.
3. It provides that a person who has not attained 18 years of age who has been issued a driver's license may not: carry passengers other than intermediate family members unless accompanied by a licensed operator who meets certain requirements in law; operate a motor vehicle between the hours of 12 a.m. and 5 a.m.; or operate a motor vehicle using a mobile telephone. The bill increases the period of restrictions for an intermediate license holder from 180 days to either 270 days from license issuance or until the person attains 18 years of age, whichever occurs later.
4. It provides that if an intermediate license holder violates any of the restrictions of an intermediate license, the period of restrictions will be extended. The bill increases the additional period of restrictions from 180 days to 270 days.
5. The bill also increases the fines for an intermediate license holder who violates the restrictions of an intermediate license from the general penalty for a traffic infraction, which is not less than \$25 and not more than \$500, to not less than \$350.
6. The bill provides that the Secretary of State shall suspend without right to a hearing the license of an intermediate

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license holder adjudicated for violating the restrictions of an intermediate license as follows: 60 days on the 1st offense, 180 days on the 2nd offense, and one year on the 3rd or subsequent offense.

7. If an intermediate license is suspended, the bill states that the holder of the intermediate license must pay a reinstatement fee of \$100 in addition to the regular license fee before the suspension is terminated.
8. The bill requires that a person 18 years of age or older must complete a 6-hour driver education program before a license is issued to that person.
9. The bill increases the fine for a violation of the prohibition against engaging in text messaging while driving from not less than \$100 to not less than \$350.
10. The bill provides that a license issued to a person who has not yet attained the age of 21 years is a provisional license for a period of 2 years following the date of issue or until the holder attains 21 years of age, whichever occurs last (the provisional license may extend beyond a person's 21st birthday). The bill increases the suspension terms for a juvenile provisional license holder who is convicted or adjudicated of a moving motor vehicle violation that occurred within 2 years from the date of issue of a juvenile provisional license as follows: from 30 to 60 days for the first offense, from 60 to 180 days for the 2nd offense, and from 90 days to one year for the 3rd or subsequent offense.
11. The bill requires a holder of a juvenile provisional license whose license is suspended for a moving violation to complete a defensive driving course before the suspension is terminated.
12. The bill requires the holder of a juvenile provisional license whose license is suspended for a major offense to complete a physical exam by actual demonstration of ability to operate a motor vehicle and a written exam before the suspension is terminated.
13. The bill also requires the holder of a juvenile provisional license whose license is suspended for a major offense to pay a reinstatement fee of \$350 in addition to the regular license fee before the suspension is terminated.

Committee Amendment "A" (S-551)

This amendment is the majority report of the committee.

The bill proposed to increase the period of restrictions for an intermediate license holder from 180 days to either 270 days from license issuance or until the person attains 18 years of age, whichever occurs later. The amendment limits the period of restrictions to 270 days but allows that period to extend beyond the person's 18th birthday.

The amendment changes the fine imposed on an intermediate license holder for a violation of the restrictions for intermediate license holders from a minimum of \$350 as proposed in the bill to not less than \$250 and not more than \$500.

The bill proposed that, before a suspension issued to the holder of an intermediate license is terminated and a license reinstated, a reinstatement fee of \$100, in addition to the regular license fee, must be paid to the Secretary of State. The amendment removes these provisions. The reinstatement fee for suspensions other than for OUI or failure to submit to a test under current law is \$50 and applies to intermediate license holders.

The amendment strikes the provision in the bill requiring driver education for persons 18 years of age or older.

The amendment changes the fine for a violation of the prohibition against engaging in text messaging while driving from a minimum of \$350 as proposed in the bill to not less than \$250 and not more than \$500.

The amendment provides that the Department of Public Safety, Bureau of State Police may provide a vehicle

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registration plate number from an accident report to a person only if that person provides the department an affidavit stating that the person will not use a vehicle registration plate number to identify or contact a person or disseminate a vehicle registration plate number to another person. A person who knowingly uses a vehicle registration plate number provided by the bureau to identify or contact a person or disseminates the number commits a Class E crime.

The bill proposed that a defensive driving course must be completed by a juvenile provisional license holder whose license is suspended for a moving violation. The amendment instead requires a juvenile provisional license holder whose license is suspended for a moving violation to complete a minimum of 4 hours of a driver improvement program approved by the Secretary of State. The effective date of this provision is January 1, 2013.

The amendment clarifies that before a suspension that resulted from a juvenile provisional license holder's conviction for an offense listed in the habitual offender law may be terminated the juvenile provisional license holder must successfully complete a road test and written exam.

The bill proposed that, before a suspension that resulted from a juvenile provisional license holder's conviction for an offense listed in the habitual offender law is terminated and a license reinstated, a reinstatement fee of \$350, in addition to the regular license fee, must be paid to the Secretary of State. The amendment removes the requirement that the regular license fee be paid to the Secretary of State.

Committee Amendment "B" (S-552)

This amendment is a minority report of the committee.

The bill proposed to increase the period of restrictions for an intermediate license holder from 180 days to either 270 days from license issuance or until the person attains 18 years of age, whichever occurs later. The amendment changes the period of restrictions for an intermediate license holder from 270 days as proposed in the bill to 200 days and limits the period of restrictions to that 200-day period but allows that period to extend beyond the person's 18th birthday.

The amendment changes the additional period of restrictions for an intermediate license holder who is adjudicated for a violation of intermediate license restrictions from 270 days as proposed in the bill to 200 days.

The amendment changes the fine imposed on an intermediate license holder for a violation of the restrictions for intermediate license holders from a minimum of \$350 as proposed in the bill to not less than \$250 and not more than \$500.

The bill proposed that, before a suspension issued to the holder of an intermediate license is terminated and a license reinstated, a reinstatement fee of \$100, in addition to the regular license fee, must be paid to the Secretary of State. The amendment removes these provisions. The reinstatement fee for suspensions other than for OUI or failure to submit to a test under current law is \$50 and applies to intermediate license holders.

The amendment strikes the provision in the bill requiring driver education for persons 18 years of age or older.

The amendment changes the fine for a violation of the prohibition against engaging in text messaging while driving from a minimum of \$350 as proposed in the bill to not less than \$250 and not more than \$500.

The amendment provides that the Department of Public Safety, Bureau of State Police may provide a vehicle registration plate number from an accident report to a person only if that person provides the department an affidavit stating that the person will not use a vehicle registration plate number to identify or contact a person or disseminate a vehicle registration plate number to another person. A person who knowingly uses a vehicle registration plate number provided by the bureau to identify or contact a person or disseminates the number commits a Class E crime.

The bill proposed to require that a defensive driving course must be completed by a juvenile provisional license

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holder whose license is suspended for a moving violation. The amendment instead requires a juvenile provisional license holder whose license is suspended for a moving violation to complete a minimum of 4 hours of a driver improvement program approved by the Secretary of State. The effective date of this provision is January 1, 2013.

The amendment clarifies that before a suspension that resulted from a juvenile provisional license holder's conviction for an offense listed in the habitual offender law may be terminated the juvenile provisional license holder must successfully complete a road test and written exam.

The bill proposed that, before a suspension that resulted from a juvenile provisional license holder's conviction for an offense listed in the habitual offender law is terminated and a license reinstated, a reinstatement fee of \$350, in addition to the regular license fee, must be paid to the Secretary of State. The amendment removes the requirement that the regular license fee be paid to the Secretary of State and changes the reinstatement fee from \$350 as proposed in the bill to \$250.

The bill proposed to increase the suspension terms for moving violations for a juvenile provisional license holder from 30 to 60 days on the first offense; 60 to 180 days on the 2nd offense; and 90 days to one year on the 3rd or subsequent offense. The amendment increases the suspension terms for moving violations for a juvenile provisional license holder from 60 to 120 days on the 2nd offense and from 90 to 270 days on the 3rd or subsequent offense.

Senate Amendment "A" To Committee Amendment "A" (S-557)

This amendment does the following:

1. It retains the current suspension term for a juvenile provisional license holder who is convicted or adjudicated of a moving violation at 30 days on the first offense, instead of 60 days as proposed in the bill;
2. It allows a person whose juvenile provisional license is suspended for a moving violation to request a hearing if that person is 18 years of age or older;
3. It decreases the reinstatement fee for a juvenile provisional license holder whose license is suspended for a major offense from \$350 as proposed in the bill to \$200 and requires the person to complete any community service imposed by a court, up to 60 hours; and
4. It adds an emergency preamble and clause to the bill.

House Amendment "A" To Committee Amendment "A" (H-953)

This amendment incorporates the substance of Senate Amendment "A" to Committee Amendment "A" but without the emergency preamble and the emergency clause.

Enacted Law Summary

Public Law 2011, chapter 654 does the following.

1. It provides that a person who has reached 15 years of age and who has successfully completed a driver education course may be issued a special restricted license based on educational or employment need. The law removes the right to a hearing for a person with special restricted license whose license has been suspended.
2. It provides that a person who is 15 years of age or older may apply for an instruction permit, except that a person who is 15 years of age or older and has not attained 18 years of age must complete a course in driver education before applying for an instruction permit. The law increases the period the instruction permit is valid from 18 months to 2 years.
3. It provides that a person who has not attained 18 years of age who has been issued a driver's license may not carry passengers other than intermediate family members unless accompanied by a licensed operator who meets

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certain requirements in law; operate a motor vehicle between the hours of 12 a.m. and 5 a.m.; or operate a motor vehicle using a mobile telephone. The law increases the period of restrictions for an intermediate license holder from 180 days to 270 days from license issuance, but allows that period to extend beyond the person's 18th birthday.

4. It states that if an intermediate license holder violates any of the restrictions of an intermediate license, the period of restrictions will be extended. The law increases the additional period of restrictions from 180 days to 270 days.

5. The law also increases the fines for an intermediate license holder who violates the restrictions of an intermediate license from the general penalty for a traffic infraction, which is not less than \$25 and not more than \$500, to not less than \$250 and not more than \$500.

6. The law provides that the Secretary of State shall suspend without right to a hearing the license of an intermediate license holder adjudicated for violating the restrictions of an intermediate license as follows: 60 days on the first offense, 180 days on the 2nd offense, and one year on the 3rd or subsequent offense.

7. The law increases the fine for a violation of the prohibition against engaging in text messaging while driving from not less than \$100 to not less than \$250 and not more than \$500.

8. The law provides that a license issued to a person who has not yet attained the age of 21 years is a provisional license for a period of 2 years following the date of issue or until the holder attains 21 years of age, whichever occurs last (the provisional license may extend beyond a person's 21st birthday). The law increases the suspension terms for a juvenile provisional license holder who is convicted or adjudicated of a moving motor vehicle violation that occurred within 2 years from the date of issue of a juvenile provisional license as follows: from 60 to 180 days for the 2nd offense and from 90 days to one year for the 3rd or subsequent offense. It also allows a person whose juvenile provisional license is suspended for a moving violation to request a hearing if that person is 18 years of age or older.

11. The law requires a juvenile provisional license holder whose license is suspended for a moving violation to complete a minimum of 4 hours of a driver improvement program approved by the Secretary of State. The effective date of this provision is January 1, 2013.

12. The law requires the holder of a juvenile provisional license whose license is suspended for a major offense to complete a physical exam by actual demonstration of ability to operate a motor vehicle and a written exam before the suspension is terminated.

13. The law also requires the holder of a juvenile provisional license whose license is suspended for a major offense to pay a reinstatement fee of \$200 to the Secretary of State and to complete any community service imposed by a court, up to 60 hours, before the suspension is terminated.

14. The law provides that the Department of Public Safety, Bureau of State Police may provide a vehicle registration plate number from an accident report to a person only if that person provides the department an affidavit stating that the person will not use a vehicle registration plate number to identify or contact a person or disseminate a vehicle registration plate number to another person. A person who knowingly uses a vehicle registration plate number provided by the bureau to identify or contact a person or disseminates the number commits a Class E crime.

Joint Standing Committee on Transportation

LD 1916 An Act Making Supplemental Appropriations and Allocations from the Highway Fund for the Expenditures of State Government To Address Revenue Shortfalls Projected for the Fiscal Years Ending June 30, 2012 and June 30, 2013

**PUBLIC 658
EMERGENCY**

Sponsor(s)

CEBRA

Committee Report

Amendments Adopted

This bill addresses Highway Fund revenue shortfalls projected for the fiscal years ending June 30, 2012 and June 30, 2013 by the Revenue Forecasting Committee on April 30, 2012.

Enacted Law Summary

Public Law 2011, chapter 658 addresses Highway Fund revenue shortfalls projected for the fiscal years ending June 30, 2012 and June 30, 2013 by the Revenue Forecasting Committee on April 30, 2012.

Public Law 2011, chapter 658 was enacted as an emergency measure effective May 16, 2012.

Joint Standing Committee on Transportation

SUBJECT INDEX

Bridges

Enacted

LD 1615 **Resolve, To Name Two Bridges in the Town of Harmony** **RESOLVE 115
EMERGENCY**

Not Enacted

LD 697 **An Act To Provide Funding for the Maine Gateway Bridges** **ONTP**

LD 1642 **Resolve, To Direct the Department of Transportation To Restrict
Spending on the Ricker Hill Bridge in the Town of Turner** **ONTP**

General Highway Fund

Enacted

LD 1907 **An Act Making Supplemental Appropriations and Allocations for
the Expenditures of State Government, Highway Fund and Other
Funds, and Changing Certain Provisions of the Law Necessary to
the Proper Operations of State Government for the Fiscal Years
Ending June 30, 2012 and June 30, 2013** **PUBLIC 649
EMERGENCY**

LD 1916 **An Act Making Supplemental Appropriations and Allocations
from the Highway Fund for the Expenditures of State
Government To Address Revenue Shortfalls Projected for the
Fiscal Years Ending June 30, 2012 and June 30, 2013** **PUBLIC 658
EMERGENCY**

Inspection

Not Enacted

LD 198 **An Act To Update Motor Vehicle Safety Inspection Laws** **ONTP**

LD 1604 **Resolve, Directing the Department of Public Safety, Bureau of
State Police To Review Motor Vehicle Inspection Rules** **ONTP**

LD 1677 **An Act To Modernize Maine's Motor Vehicle Inspection Program** **ONTP**

Marine Transportation

Enacted

LD 1795 **An Act Regarding the Oversight and Safety of Certain
Commercial Vessels Operating in Maine Waters** **PUBLIC 498**

Motor Carriers

Enacted

LD 1617	An Act To Authorize the Commissioner of Transportation To Allow Certain Vehicles To Operate on the Interstate System	PUBLIC 482 EMERGENCY
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Motor Vehicles

Enacted

LD 1710	An Act To Amend the Motor Vehicle Laws	PUBLIC 556
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Not Enacted

LD 1656	An Act To Clarify the Registration Exemption of Tractors under the Motor Vehicle Laws	ONTP
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Operator's License

Enacted

LD 1912	An Act To Encourage Responsible Teen Driving	PUBLIC 654
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Registration Plates

Enacted

LD 1611	Resolve, To Create a License Plate To Recognize the 2014 World Acadian Congress	RESOLVE 156
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LD 1896	An Act To Provide a Temporary Registration Permit to Certain Members of the Armed Forces	PUBLIC 605
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Not Enacted

LD 1672	An Act To Allow Disabled Veterans To Receive 2 Sets of Special Designating License Plates	ONTP
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Roads

Enacted

LD 1367	An Act To Restore Maine's Secondary Roads	PUBLIC 652
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LD 1593	Resolve, To Name Route 1-A between Brewer and Ellsworth the Korean War Veterans Memorial Highway	RESOLVE 117
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Signs

Enacted

LD 1807 **Resolve, Directing the Maine Turnpike Authority To Place Signs on Interstate 95 Directing Motorists to the Southern Maine Veterans Memorial Cemetery in Springvale** **RESOLVE 127**

Not Enacted

LD 1661 **Resolve, To Allow Signs along Interstate 95 for the Town of Kittery and Its Businesses and Other Establishments** **LEAVE TO WITHDRAW**

Traffic Regulations

Not Enacted

LD 1124 **An Act To Authorize the Use of Traffic Surveillance Cameras To Prove and Enforce Violations of Overtaking and Passing School Buses** **ONTP**

LD 1621 **An Act To Remove a Barrier to Response by Emergency Medical Personnel** **MAJORITY (ONTP) REPORT**

LD 1808 **An Act To Exempt from the Prohibition against Text Messaging While Driving Emergency Personnel Who Are Acting in the Course of Their Duties** **ONTP**

Transportation Department

Enacted

LD 1671 **Resolve, To Require the Department of Transportation To Facilitate and Oversee a Study of the Feasibility of an East-west Highway** **RESOLVE 147**

LD 1753 **An Act To Improve Transportation in the State** **PUBLIC 610**

Not Enacted

LD 1064 **Resolve, To Expand the Scope of the Study of Existing Highway Infrastructure and Future Capacity Needs West of Route 1 in York and Cumberland Counties Being Conducted by the Department of Transportation and the Maine Turnpike Authority** **ONTP**

Turnpike Authority

Enacted

LD 1623 **An Act To Simplify Toll Discounts and Amend Certain Powers and Procedures of the Maine Turnpike Authority** **PUBLIC 476 EMERGENCY**

LD 1736 **An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2013** **P & S 21**

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