

Joint Standing Committee on Transportation

PUBLIC 469 **An Act To Amend the Operator's License and Nondriver Identification Card Requirements** **LD 501**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLLINS	OTP-AM MAJ	H-736
DAMON	OTP-AM MIN	

Public Law 2005, chapter 469 prohibits the acceptance of expired visas granted by the United States, expired documents issued by foreign countries, and foreign passports showing an elapsed departure date as identification for the purpose of issuing state nondriver identification cards and driver's licenses.

PUBLIC 472 **An Act To Amend the Laws Governing Ferry Service Travel for** **LD 1738**
EMERGENCY **Individuals with Catastrophic Illness**

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

Public Law 2005, chapter 472 allows residents of the island communities served by the Maine State Ferry Service free transportation services when traveling to and from regularly scheduled, medically necessary appointments with medical care providers on the mainland if these appointments pertain to a catastrophic illness.

Public Law 2005, chapter 472 was enacted as an emergency measure effective February 21, 2006.

PUBLIC 478 **An Act To Increase Efficiency in Truck Hauling** **LD 1702**
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARR	OTP-AM	H-749
RAYE		

Public Law 2005, chapter 478 eliminates the 53-foot access system designated by the Commissioner of Transportation, allowing a single semitrailer whose total structural length exceeds 48 feet but does not exceed 53 feet to be operated in combination with a truck tractor on the highway network if safety standards and conditions are met. It also clarifies the Department of Transportation's rule-making authority to limit or prohibit access by semitrailers to certain highways to ensure safety.

Public Law 2005, chapter 478 was enacted as an emergency measure effective March 8, 2006.

PUBLIC 479 **An Act To Clarify the Assessment of Costs To Maintain a Private** **LD 1696**
Way or Bridge

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<u>Sponsor(s)</u> DIAMOND BRYANT M	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-450
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Public Law 2005, chapter 479 clarifies that the assessed valuation for property tax is on each owner's parcel that is benefited by the private way or bridge. It also provides that the assessment for repair or maintenance of a private way or bridge is applied proportionally on the owners according to their assessed valuation for property tax.

PUBLIC 482 An Act To Amend Certain Transportation Laws LD 1750

<u>Sponsor(s)</u> DAMON MARLEY	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-458
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Public Law 2005, chapter 482 makes the following changes to the law governing transportation.

1. It allows for an exception to outdoor luminaire requirements if the Commissioner of Transportation determines that the lighting is related to a Department of Transportation bridge project of state and regional significance and is supported by municipalities directly affected by the installation.
2. It allows for attractions to be included on logo signs on the interstate highway system and allows for logo signs on certain connector highways where it is necessary to establish continuity for logo signs erected on the Maine Turnpike.
3. It requires local administration of municipal ordinances adopted regarding changeable signs.
4. It adds language to and removes requirements from the provisions of the auxiliary light statute to reflect current technology.
5. It allows appurtenances to motor homes, truck campers and camp trailers extending up to 6 inches from either side of the body of the unit.

PUBLIC 501 An Act To Ensure Business Equity in Commercial Vehicle Registration LD 1730

<u>Sponsor(s)</u> BLANCHARD PERRY J	<u>Committee Report</u> OTP-AM MAJ OTP-AM MIN	<u>Amendments Adopted</u> H-782
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Public Law 2005, chapter 501 clarifies that special mobile equipment that is rented from a location in Maine or outside Maine must be registered in Maine, regardless of the location of the main office or headquarters of the owner of the equipment. The amendment also makes a technical correction to the section on special mobile equipment.

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PUBLIC 528 **An Act To Prohibit Parking in Access Aisles**
EMERGENCY

LD 1706

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARLEY	OTP-AM MAJ OTP-AM MIN	H-765

Public Law 2005, chapter 528 prohibits anyone, including persons who have been issued a disability registration plate or removable placard, from parking in an access aisle, which is defined as a space that is clearly marked and immediately adjacent to a parking space designated and clearly marked for persons with physical disabilities. The law also increases the fine for persons who illegally park in a disability parking space or access aisle to not less than \$200 and not more than \$500.

Anyone who observes a vehicle illegally parked in a disability parking space or an access aisle may report the violation to a law enforcement officer. The officer shall initiate an investigation and, if possible, contact the registered owner of the motor vehicle involved and request that the registered owner supply information identifying the operator. The law provides that the registered owner of a vehicle illegally parked in an access aisle commits a traffic infraction and is subject to a fine. However, the law does provide for defenses for the registered owner of the vehicle found to be illegally parked in an access aisle.

Public Law 2005, chapter 528 was enacted as an emergency measure effective April 4, 2006.

PUBLIC 573 **An Act To Amend the Motor Vehicle Laws**

LD 1866

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FISHER DIAMOND	OTP-AM	H-849

Public Law 2005, chapter 573 does the following:

1. It allows the display of a disabled veteran registration plate on a vehicle registered for up to 9,000 pounds;
2. It eliminates the Secretary of State's discretion to accept a deposit of cash when a bond is filed;
3. It makes the for-hire insurance requirements consistent with the provisions of Public Law 2005, chapter 399, which limited transit districts' tort liability to \$400,000;
4. It allows the Secretary of State to operate customer service locations within approved budgetary limits, rather than limiting the branches that can exist to a specific number. The law enables the Secretary of State to authorize municipal agents to conduct transactions and charge fees on an ongoing basis when that transaction and the associated fee are not already provided in existing law;
5. It directs the Secretary of State to review the existing statutory vision screening requirements to identify potential changes in law or other opportunities under existing law to increase the number of motorists eligible for online renewal services and to report with recommendations to the joint standing committee of the Legislature having jurisdiction over transportation matters no later than December 31, 2006; and

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6. It directs the Secretary of State to develop a plan for leveling out the currently uneven 6-year driver's license cycle to eliminate the variations in business activity and corresponding Highway Fund revenue.

PUBLIC 577 **An Act To Amend the Laws Relating to Motorized Scooters,**
EMERGENCY **Motor-driven Cycles and Mopeds**

LD 1464

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAMPSON	OTP-AM	H-730
SAVAGE		H-747 MCKENNEY

Public Law, chapter 577 amends current law regarding 2-wheeled and 3-wheeled vehicles and off-road vehicles. The bill:

1. Amends the definition of "moped" and "motorized scooter" by including criteria for wheel size and electric-powered motors;
2. Repeals the definition of "motorcycle" and replaces it with a definition that includes criteria for wheels and electric-powered motors;
3. Repeals the definition of "motor-driven cycles";
4. Establishes a definition of "off-road vehicle." Off-road vehicles, because of their size, shape, design and configuration, may not be operated on a public way unless operation is authorized by statute;
5. Amends the definition of "scooter" by excluding scooters that are powered by motors;
6. Enacts a provision that off-road vehicles may not be registered under the Maine Revised Statutes, Title 29-A;
7. Removes references in Title 29-A to motor-driven cycles;
8. Eliminates the requirement that businesses that sell motor-driven cycles be licensed as motor vehicle dealers;
9. Removes a reference to motorized scooter under vehicles that are regulated as bicycles or toy vehicles;
10. Establishes a provision to treat off-road vehicles operated on ways the same as all-terrain vehicles operated on ways;
11. Establishes a provision to make it a traffic infraction to operate an off-road vehicle on a public way or parking area;
12. Clarifies that the definition of a motor vehicle does not include an all-terrain vehicle unless the all-terrain vehicle is issued a special registration permit in accordance with the Maine Revised Statutes, Title 29-A, section 501;
13. Clarifies that an all-terrain vehicle is not subject to licensing provisions under Title 29-A, chapter 11 unless the all-terrain vehicle is issued a special registration permit in accordance with Title 29-A, section 501;

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14. Requires the operator of a motorized scooter to have a valid license of any class;
15. Allows municipalities to prohibit the use of motorized scooters on public ways; and
16. Requires motorized scooters to follow the same rules of the road as bicycles.

Public Law, chapter 577 was enacted as an emergency measure effective April 13, 2006.

PUBLIC 643 An Act To Promote Municipal-State Transportation Investment LD 1159
Partnerships

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FISHER DAMON	OTP-AM	H-873

Public Law 2005, chapter 643 allows municipalities to petition the Department of Transportation to finance proposed arterial and major collector road construction projects. The department would finance up to 50% of the cost of the proposed road construction from the Highway Fund. The road must meet state design standards and function as a major collector or arterial highway as defined in Department of Transportation rules. Participating municipalities shall have a department-approved transportation plan for state and state aid highways and comply with policies and procedures adopted by the department. The municipality may finance improvement projects with contributions of local funds. The new law offers alternative financing mechanisms to the Department of Transportation subject to a municipality's voluntary decision to participate.

PUBLIC 649 An Act To Authorize State Participation in the Unified Carrier LD 1950
Registration System

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ASH	OTP-AM MAJ ONTP MIN	H-770

Public Law 2005, chapter 649 authorizes the State's participation in the Unified Carrier Registration System, which is a federal program to consolidate motor carrier information systems.

PUBLIC 664 An Act To Make Additional Allocations from the Highway Fund LD 1974
EMERGENCY 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, 2006 and June 30, 2007

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARLEY	OTP-AM MAJ OTP-AM MIN	H-1037 H-1053 DUPREY H-1054 MILLETT

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Public Law 2005, chapter 664 does the following:

Part A makes supplemental allocations for fiscal years 2005-06 and 2006-07.

Part B makes allocations for approved reclassifications and range changes.

Part C limits the state support to the Marine Highway account to 50% of the budgeted revenues that support the operating cost of the Maine State Ferry Service.

Part D transfers amounts exceeding \$1,000,000 from the unallocated balance in the Highway Fund after the deduction of all allocations, financial commitments, other designated funds or any other transfer authorized by statute to the Department of Transportation for capital needs in the Highway and Bridge Improvement and Maintenance and Operations programs.

Part E transfers identified Highway Fund Personal Services savings to any other program or line category within the Highway Fund to fund capital program needs.

Part F authorizes available Personal Services balances in the Highway Fund accounts to be transferred between programs and departments within the fund by financial order to be used for collective bargaining agreement costs.

Part G lapses \$2,222 of the unencumbered balance in fiscal year 2004-05 in the Bond Retirement - Highway Fund account in the Department of Transportation to the unallocated surplus in the Highway Fund in fiscal year 2005-06.

Part H authorizes the State Budget Officer to calculate the amount of savings from a statewide deallocation that applies against each Highway Fund account for all departments and agencies from additional savings in the cost of health insurance and shall transfer the amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to allocations in fiscal year 2006-07.

Part I lapses \$10,944,305 of unencumbered balance in the Personal Services line category from fiscal year 2004-05 in the Maintenance and Operations account in the Department of Transportation to the unallocated surplus of the Highway Fund in fiscal year 2005-06.

Part J amends Public Law 2005, chapter 405, Part I, section 1 by authorizing the Administration - Motor Vehicle Program, Bureau of Motor Vehicles within the Department of the Secretary of State to carry forward any unexpended balance that is less than \$1,100,000 from fiscal year 2005-06 to fiscal year 2006-07 for the continued development of the bureau's computer system and to improve the efficiency and effectiveness of the bureau's processes and programs.

Part K adds the Maine State Law Enforcement Association to the bargaining units authorized to access funding in the Highway Fund Salary Plan account to implement economic terms of collective bargaining agreements for fiscal years ending June 30, 2006 and June 30, 2007.

Part L expands to a new location in Van Buren the existing pilot project allowing commercial vehicles at Canadian weight limits to travel to specified locations in the State.

Part M allows the State or its political subdivisions to assign to another person the right to receive refunds for special fuel taxes.

Part N provides the joint standing committee of the Legislature having jurisdiction over transportation matters information to support the Department of Transportation Service Center request in the department's All Other

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line in the biennial Highway Fund Current Services Budget and to also provide an annual accounting of the actual charges made.

Part O authorizes a 6-month grace period for newly employed ambulance operators to obtain required training for certification purposes.

Part P eliminates one Department of Transportation Crew FTE position and realigns 14 other electrical, carpenter and driver trainer Department of Transportation Crew FTE positions between Fleet Services, an Internal Service fund and Maintenance and Operations, a Highway Fund program, in order to allow proper implementation of a new Fleet Management computer system scheduled for July 1, 2006. Given the maintenance and operational nature of the work of these employees, their cost is more properly associated with Maintenance and Operations. The current budget location of these positions distorted the financial management and reporting of Fleet Services.

The bill also authorizes the Secretary of State, within existing budgeted resources, to issue specially designed motorcycle plates for members of the Legislature.

The bill also enacts into the Maine Revised Statutes a provision that requires that 60% of state funding for the Department of Public Safety, Bureau of State Police originate from the Highway Fund and 40% originate from the General Fund beginning in fiscal year 2007-08.

Public Law 2005, chapter 664 was enacted as an emergency measure effective May 30, 2006.

PUBLIC 679 **An Act To Comply with the Federal Commercial Motor Vehicle Safety Act of 1986** **LD 2119**

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

Public Law 2005, chapter 679 makes changes to ensure compliance with the federal Commercial Motor Vehicle Safety Act of 1986 to preserve receipt of federal highway funds. Specifically, the bill makes state law consistent with applicable federal regulations granting waivers from the commercial driver licensing requirements for persons operating fire apparatus, military vehicles and farm trucks. The bill further authorizes the Department of Public Safety, Bureau of State Police to adopt by reference the federal regulations establishing minimum fines for out-of-service violations.

P & S 30 **An Act To Update the Charter of the Lewiston and Auburn Railroad Company** **LD 1849**

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

Private and Special Law 2005, chapter 30 updates the articles of incorporation of the Lewiston and Auburn Railroad Company.

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P & S 37

An Act To Make Allocations from the Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2007

LD 1966

Sponsor(s)

Committee Report
OTP

Amendments Adopted

Private and Special Law 2005, chapter 37 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, 2007 in accordance with the requirements of the Maine Revised Statutes, Title 23, section 1961, subsection 6.

RESOLVE 151 Resolve, To Name the New Bridge over the Penobscot River

LD 1986

Sponsor(s)
ROSEN R
LINDELL

Committee Report
OTP-AM

Amendments Adopted
S-503

Resolve 2005, chapter 151 names the new bridge that crosses the Penobscot River between the towns of Prospect and Verona Island and the westerly tower at the entrance to the bridge in Prospect the "Penobscot Narrows Bridge and Observatory Tower" and directs the Department of Transportation to erect signs that indicate this name.

RESOLVE 163 Resolve, To Name the New Bridge in Augusta Spanning the Kennebec River "Cushnoc Crossing"

LD 2051

Sponsor(s)

Committee Report
OTP

Amendments Adopted

Resolve 2005, chapter 163 names the new bridge in Augusta that connects Interstate 95 to Route 3 and crosses the Kennebec River north of the Father Curran Bridge "Cushnoc Crossing" and directs the Department of Transportation to erect signs that indicate the name of the new bridge.

RESOLVE 189 Resolve, Authorizing a Pilot Project To Allow Timber Harvesting Equipment To Be Moved During Nighttime

LD 2058

Sponsor(s)
JACKSON
MARTIN

Committee Report
OTP-AM

Amendments Adopted
H-942

Resolve 2005, chapter 189 directs the Secretary of State, in consultation with the Commissioner of Transportation and the Chief of the State Police, to conduct a pilot project that allows permits for the transport of timber harvesting equipment by another vehicle between midnight and sunrise during the months of March and April over a way or bridge maintained by the Department of Transportation if certain conditions are met. The resolve also requires the Secretary of State to submit a report to the joint standing committee of the

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Legislature having jurisdiction over transportation matters no later than the first business day in February 2009. The resolve gives the joint standing committee of the Legislature having jurisdiction over transportation matters authority to report out legislation during the First Regular Session of the 124th Legislature. It repeals the pilot project 90 days after the adjournment of the First Regular Session of the 124th Legislature.

**RESOLVE 216 Resolve, Directing the Department of Transportation To Review
Its Highway Traffic Noise Policy**

LD 2040

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GLYNN BROMLEY	OTP-AM	H-857

Resolve 2005, chapter 216 directs the Department of Transportation to undertake a comprehensive review of the department's current highway traffic noise policy. Under the existing statewide highway traffic noise policy adopted by the Department of Transportation, a property must abut a highway project in order to be eligible for a noise abatement program.

The law also provides that, if the department adopts a revised highway traffic noise policy, the scheduled improvement of Interstate 295 in South Portland and Portland is subject to the revised policy.