

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND AND FIFTEEN

H.P. 803 - L.D. 1172

Resolve, Regarding Legislative Review of Rules for Permitting Overlimit Commercial Motor Vehicles of Specified Configurations To Travel Designated Routes, a Late-filed Major Substantive Rule of the Department of Transportation

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature outside the legislative rule acceptance period; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Adoption. Resolved: That, contingent upon the Maine Revised Statutes, Title 29-A, section 2354-D, subsection 1 being amended to repeal the exclusion from the commercial motor vehicle configurations that may be allowed to operate on specified routes of travel by the Commissioner of Transportation of truck tractor-semitrailer-semitrailer combination vehicles in which the 2 trailing units are connected with a B-train assembly, final adoption of Rules for Permitting Overlimit Commercial Motor Vehicles of Specified Configurations To Travel Designated Routes, a provisionally adopted major substantive rule of the Department of Transportation that has been submitted to the Legislature for review pursuant to Title 5, chapter 375, subchapter 2-A outside the legislative rule acceptance period, is authorized only if the following changes are made:

1. The rule must be amended in Section 2 to provide that the process described in the rule for permitting overlimit commercial motor vehicles of specified configurations to travel designated routes, referred to as "special haul routes," is available to B-train double configurations, as defined in Title 29-A, section 2354-C, subsection 2; and

2. The rule must be amended in Section 9 to provide that B-train double configurations, as defined in Title 29-A, section 2354-C, subsection 2, are allowed.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.