

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by striking out the title and substituting the following:

'Resolve, Authorizing a Pilot Project To Allow Timber Harvesting Equipment To Be Moved during Nighttime'

Further amend the bill by striking out everything after the title and before the summary and inserting in its place the following:

'Sec. 1 Pilot project to allow timber harvesting equipment to be moved during nighttime. Resolved: That the Secretary of State, in consultation with the Commissioner of Transportation and the Chief of the State Police, shall conduct a pilot project that grants overlimit movement permits pursuant to the Maine Revised Statutes, Title 29-A, section 2382 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. This pilot project must include the conditions that:

1. The air temperature is 32 degrees Fahrenheit or lower and the ground is solidly frozen with no standing water;
2. The width of the load does not exceed 11 feet, 6 inches and the length does not exceed 75 feet;
3. Two qualified pilot vehicles escort the overlimit load with one preceding the overlimit load and the other following;
4. Two-way mobile communication is maintained between the pilot vehicles and the overlimit load vehicle; and
5. The overlimit load displays flashing amber beacons at the extremes of the load in the place of or in addition to flags.

The pilot project must allow the Commissioner of Transportation, acting on the advice of the Chief of the State Police, to prohibit the nighttime movement of such loads on particular sections of highway if such movement would create an unacceptable risk to public safety; and be it further

Sec. 2 Rules. Resolved: That the Secretary of State may adopt rules to implement the pilot project under section 1. Rules adopted pursuant to this resolve are routine technical rules pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A; and be it further

Sec. 3 Report. Resolved: That the Secretary of State, in consultation with the Commissioner of Transportation and the Chief of the State Police, shall submit a report to the joint standing committee of the Legislature having jurisdiction over transportation matters no later than the first business day in February 2009. The report must include the status of the pilot project under section 1 and recommendations for continuance, discontinuance or modification of the pilot project's terms. After reviewing the report, the joint standing committee of the Legislature having jurisdiction over transportation matters may report out legislation to the First Regular Session of the 124th Legislature concerning the subject matter of this resolve; and be it further

Sec. 4 Repeal. Resolved: That this resolve is repealed 90 days after the adjournment of the First Regular Session of the 124th Legislature.'

SUMMARY

This amendment, which replaces the bill with a resolve, 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 amendment also requires the Secretary of State to submit a report to the joint standing committee of the Legislature having jurisdiction over transportation matters no later than the first business day in February 2009. The amendment 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. The amendment repeals the pilot project 90 days after the adjournment of the First Regular Session of the 124th Legislature.