

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 233

H. P. 193

House of Representatives, January 12, 1981

Submitted by the Department of Public Safety pursuant to Joint Rule 24.

Referred to the Committee on Transportation. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. McKean of Limestone.

Cosponsor: Mr. Strout of Corinth.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT Pertaining to Public Safety on Public Ways.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 29 MRSA § 1362, last sentence, as last amended by PL 1975, c. 497, § 3, is further amended to read:

No signaling device shall be unnecessarily sounded nor any braking or acceleration unnecessarily made so as to cause a harsh, objectionable or unreasonable noise, and no bell or siren shall be installed or used on any motor vehicle except that fire and police department vehicles and ambulances, and vehicles operated by state, city and town fire inspectors, city and town fire chiefs, assistant fire chiefs, police chiefs and assistant police chiefs ~~may be so equipped for use only when responding to emergency calls, and such motor vehicles used by sheriffs and deputy sheriffs and such motor vehicles used by inland fisheries and game wardens as may be designated by the Department of Inland Fisheries and Wildlife and such motor vehicles used by coastal wardens as may be designated by the Department of Marine Resources~~ and such motor vehicles used by the United States Government law enforcement officials, and such motor vehicles used by a state or municipal department which controls or supervises electrical alarm and communication systems **and all law enforcement vehicles owned or controlled by the State of Maine as the Commissioner of Public Safety may designate, may be so equipped for use only when responding to emergency calls.**

Sec. 2. 29 MRSA § 1366, next to the last ¶ is amended to read:

This section shall not apply to unregistered farm tractors **except that unregistered farm tractors shall display one reflectorized triangle mounted to the rear, so designed, located and maintained as to reflect at night on an unlighted highway, for at least 200 feet, the lawful undimmed headlights of a vehicle approaching from the rear.**

Sec. 3. 29 MRSA § 1368, first ¶, last sentence is amended to read:

~~The No fog or auxiliary light shall emit a mounted on any vehicle at a height greater than the center of the main headlamps shall be illuminated while that vehicle is being operated on any public way, except as provided by section 1462, and the beam emitted shall be white or amber beam of light.~~

Sec. 4. 29 MRSA § 1371-A, sub-§ 1, ¶ C is amended to read:

C. Method of measuring tread depth. Tire tread depth shall be measured by a tread depth gauge which shall be of a type calibrated in 1/32 inch. Readings shall be taken in ~~a major tread groove~~ **2 adjacent tread grooves** of the tire ~~nearest the center~~ at 2 points of the circumference not closer to **each other** than 15 inches. Readings for a tire which has the tread design running across the tire or for a siped tire, ~~where the design is permitted~~ shall be taken ~~at or near the center of the tire at 2 points of the circumference not closer than 15 inches in the same manner.~~

Sec. 5. 29 MRSA § 1371-A, sub-§ 1, ¶ D is amended to read:

D. Tread Depth Reimbursements. No tire shall be deemed to be in safe operating condition if ~~such tire is worn~~ **any 2 adjacent major tread grooves are worn** to the point where less than 2/32 inch of tread design remains at both points at which gauge readings are obtained.

Sec. 6. 29 MRSA § 1404, sub-§ 3 is repealed as follows:

~~3.—Truck tractors On truck tractors when not hauling a trailer or semi-trailer.~~

Sec. 7. 29 MRSA § 1751, first sentence, as last repealed and replaced by PL 1977, c. 136, § 3, is further amended to read:

No vehicle while being used to transport a load of long logs, **lumber, junk or unserviceable motor vehicles**, the height of which load is greater than 8 feet, shall be operated over any way or bridge unless ~~such the~~ load on each ~~such~~ unit is bound by 3 chains and binders or 3 wire ropes or 3 steel cables, or 3 polyester or nylon web straps, or any combination thereof.

STATEMENT OF FACT

Section 1 would allow the installment and use of sirens on all law enforcement vehicles of the State at the discretion of the Commissioner of Public Safety.

Section 2 would require that farm tractors be required to display to the rear a reflectorized triangle when traveling on the highway at night. This is in line with a federal requirement; however, law enforcement personnel within the State do not have authority to enforce it. Farm tractors are slow moving upon the highway and reflectors would increase the safety of all.

Section 3 would prevent the blinding of oncoming vehicles by vehicles that are operating fog or auxiliary lights that are mounted high upon the vehicle. This would not prevent these lights from being mounted at a vehicles' highest point, but prohibits them from being used while on a public way.

Sections 4 and 5 would require that 2 adjacent tread grooves must measure at least $\frac{2}{32}$ of an inch before the tire would be considered safe. Under present law, a tire need only have one major tread groove that measures at least $\frac{2}{32}$ of an inch measured in 2 places at least 15 inches apart. Thus, with the exception of one major tread groove that measures $\frac{2}{32}$ of an inch, the rest of the tire can be completely bald and pass state inspection.

Section 6 would repeal the exemption for truck tractors to be operated upon the highways without splashguards when not equipped with a semi-trailer.

Section 7 would require that all loads, including logs, junk vehicles, etc., being transported on open vehicles or trailers be bound securely to the transporting vehicle or trailer.