

# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1998

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Legislative Document

No. 2193

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H.P. 1562

House of Representatives, February 3, 1998

### **An Act to Allow Tow Trucks on Posted Roads.**

(AFTER DEADLINE)

(EMERGENCY)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Speaker MITCHELL of Vassalboro.  
Cosponsored by Senator O'GARA of Cumberland and  
Representatives: DRISCOLL of Calais, SAVAGE of Union, WHEELER of Eliot.

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

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6           **Whereas,** under current laws, roads in this State may be  
posted to prohibit travel by cumbersome vehicles during specific  
times of the year, most often in the spring; and

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10          **Whereas,** a common exception to the prohibition of travel on  
posted roads is school buses; and

12          **Whereas,** if a vehicle breaks down on posted roads,  
assistance is often unavailable since tow trucks are prohibited  
from travel on posted roads; and

16          **Whereas,** unless this bill is enacted as an emergency, it  
will not take effect in time to alleviate this problem for this  
spring; and

20          **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,

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

28                 **Sec. 1. 29-A MRS §2395, sub-§9 is enacted to read:**

30                 9. Tow trucks exempt. A tow truck is exempt from the  
32                 restrictions placed on gross weight if that tow truck is aiding a  
                  vehicle that has become disabled on the same posted road or on  
34                 property contiguous to the posted road.

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

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### SUMMARY

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42                 This bill exempts tow trucks from the restriction against  
travel by certain vehicles over roads that are posted against  
such vehicles by the Department of Transportation. The exemption  
44                 only applies if the tow truck is aiding a vehicle that has broken  
down on the posted road or on property that is contiguous to the  
46                 posted road.