

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1555

S.P. 490

In Senate, April 16, 2019

An Act To Improve Highway Maintenance Safety

Submitted by the Maine Turnpike Authority pursuant to Joint Rule 204.
Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator DIAMOND of Cumberland.
Cosponsored by Representative McLEAN of Gorham and
Senator: FARRIN of Somerset, Representatives: AUSTIN of Skowhegan, MARTIN of Greene,
PERKINS of Oakland, SHEATS of Auburn, WHITE of Waterville.

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

2 **Sec. 1. 29-A MRS §2054, sub-§2, ¶C**, as amended by PL 2015, c. 31, §1 and
3 c. 32, §2, is further amended to read:

4 C. The use of amber, white and green lights on vehicles is governed by the
5 following.

6 (1) A vehicle engaged in highway maintenance or in emergency rescue
7 operations by emergency management and public safety agencies and a public
8 service vehicle may be equipped with auxiliary lights that emit an amber light or
9 a combination of amber and white lights or any shade between amber and white.
10 The amber and white lights may be located on the front, rear or sides of the
11 vehicle and may flash, oscillate, strobe or blink.

12 (1-A) A Department of Labor motor vehicle operated by a workplace safety
13 inspector may be equipped with auxiliary lights that emit an amber light.

14 (1-B) A highway maintenance vehicle operating under direction of the
15 department or the Maine Turnpike Authority may include green lighting, which
16 may be located on the front, rear or sides of the vehicle and may flash, oscillate,
17 strobe or blink.

18 (2) A wrecker must be equipped with a flashing light mounted on top of the
19 vehicle in such a manner as to emit an amber light over a 360-degree angle. The
20 light must be in use on a public way or a place where public traffic may
21 reasonably be anticipated when servicing, freeing, loading, unloading or towing a
22 vehicle.

23 (3) A vehicle engaged in snow removal or sanding operations on a public way
24 must be equipped with and display an auxiliary light that provides visible light
25 coverage over a 360-degree range. The light must emit an amber beam of light
26 and be equipped with a blinking or strobe light function and have sufficient
27 intensity to be visible at 500 feet in normal daylight. When the left wing of a
28 plow is in operation and extends over the center of the road, an auxiliary light
29 must show the extreme end of the left wing. That light may be attached to the
30 vehicle so that the beam of light points at the left wing. The light illuminating
31 the left wing may be controlled by a separate switch or by the regular lighting
32 system and must be in operation at all times when the vehicle is used for plowing
33 snow on public ways.

34 (4) A vehicle equipped and used for plowing snow on other than public ways
35 may be equipped with an auxiliary rotary flashing light that must be mounted on
36 top of the vehicle in such a manner as to emit an amber beam of light over a 360-
37 degree angle, or an amber strobe, or combination of strobes, that emits at a
38 minimum a beam of 50 candlepower and provides visible light coverage over a
39 360-degree range. The light may be in use on a public way only when the
40 vehicle is entering the public way in the course of plowing private driveways and
41 other off-highway locations.

42 (5) A rural mail vehicle may be equipped with auxiliary lights.

- 1 (a) The lights used to the front must be white or amber, or any shade
2 between white and amber.
- 3 (b) The lights used to the rear must be amber or red, or any shade between
4 amber and red.
- 5 (c) The lights, whether used to the front or rear, must be mounted at the
6 same level and as widely spaced laterally as possible.
- 7 (d) The lights, whether used to the front or rear, must flash simultaneously.
- 8 (e) The lights must be visible from a distance of at least 500 feet in normal
9 daylight.
- 10 (6) A vehicle used or provided by a contract security company to assist in traffic
11 control and direction at construction or maintenance sites on a public way may be
12 equipped with amber auxiliary lights.
- 13 (7) A Department of Public Safety vehicle operated by a motor carrier inspector
14 or motor vehicle inspector may be equipped with auxiliary lights that emit an
15 amber light.
- 16 (8) A vehicle used by an animal control officer appointed pursuant to Title 7,
17 section 3947 may be equipped with auxiliary lights that emit a flashing amber
18 light.
- 19 (9) A refuse, garbage or trash business vehicle used by an individual to transport
20 refuse, garbage and trash may be equipped with auxiliary lights that emit a
21 flashing amber light.
- 22 (10) A vehicle used by an individual to transport and deliver newspapers may be
23 equipped with auxiliary lights that emit a flashing amber light.

24 **Sec. 2. 29-A MRS §2069**, as amended by PL 2015, c. 159, §4, is further
25 amended to read:

26 **§2069. Authority to remove an improperly parked vehicle; vehicles used in**
27 **commission of a crime**

28 **1. Parked in violation.** A law enforcement officer ~~or~~ employees or agents of the
29 Department of Transportation or employees or agents of the Maine Turnpike Authority
30 may cause the removal of a vehicle or require the operator to move the vehicle from a
31 location in violation of section 2068, subsection 1 or of rules adopted by the Maine
32 Turnpike Authority to a location where parking is permitted.

33 **2. Interfering with snow removal, normal traffic movement.** A law enforcement
34 officer may cause the removal to a suitable parking place, at the expense of the registered
35 owner, of a vehicle interfering with snow removal or the normal movement of traffic or
36 parked within the limits of a right-of-way. The Department of Transportation or the
37 Maine Turnpike Authority may take the same action, through use of their employees or
38 agents, for a vehicle standing on property under ~~its jurisdiction~~ their respective
39 jurisdictions.

