

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

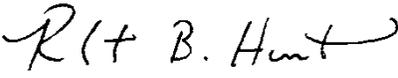
No. 1769

H.P. 1256

House of Representatives, May 23, 2019

An Act To Make Various Changes to the Motor Vehicle Laws

Submitted by the Department of Public Safety pursuant to Joint Rule 204.
Reference to the Committee on Transportation suggested and ordered printed.


ROBERT B. HUNT
Clerk

Presented by Representative McLEAN of Gorham.

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

2 **Sec. 1. 29-A MRSA §1920, sub-§1, ¶¶C and D**, as amended by PL 2013, c. 30,
3 §2, are further amended to read:

4 C. For a vehicle of 4,501 pounds to 7,500 pounds, ~~27~~ 28 inches in the front and ~~29~~
5 30 inches in the rear;

6 D. For a vehicle of 7,501 pounds to 10,000 pounds, ~~28~~ 30 inches in the front and ~~30~~
7 32 inches in the rear; ~~and~~

8 **Sec. 2. 29-A MRSA §1920, sub-§1, ¶E**, as enacted by PL 2013, c. 30, §2, is
9 amended to read:

10 E. For a vehicle of 10,001 pounds to 11,500 pounds, ~~29~~ 31 inches in the front and ~~31~~
11 33 inches in the rear; ~~and~~

12 **Sec. 3. 29-A MRSA §1920, sub-§1, ¶F** is enacted to read:

13 F. For a vehicle of 11,501 pounds to 13,000 pounds, 32 inches in the front and 34
14 inches in the rear.

15 **Sec. 4. 29-A MRSA §2054, sub-§2, ¶D**, as amended by PL 2017, c. 21, §1, is
16 further amended to read:

17 D. Except as provided in this paragraph, a vehicle may not be equipped with or
18 display a blue light.

19 (1) Emergency lights used on the following vehicles must emit a blue light or a
20 combination of blue and white light: a police vehicle, except that a police vehicle
21 may also use red emergency lights under paragraph F; a Department of
22 Corrections vehicle as described in subsection 1, paragraph B, subparagraph (6);
23 a vehicle operated by a chief of police, a sheriff or a deputy sheriff; and a vehicle
24 operated by a qualified deputy sheriff or other qualified individual performing
25 court security-related functions and services.

26 (2) Emergency lights used on an ambulance, an emergency medical service
27 vehicle, a fire department vehicle or a hazardous material response vehicle may
28 include one blue light mounted facing toward the rear of the vehicle so that the
29 light is primarily visible to approaching traffic from the rear only.

30 (3) The taillight of a vehicle, or replica of a vehicle, manufactured prior to 1952
31 and registered under section 457, may contain a blue or purple insert of not more
32 than one inch in diameter.

33 (4) Blue interior auxiliary lighting or dash lighting may be used on any vehicle if
34 no portion of the beam of light is visible at a height of 42 inches above a surface
35 parallel with the level surface on which the vehicle stands at a distance of 20 feet
36 from any part of the vehicle.

37 (5) A vehicle owned by the Department of Public Safety may be equipped with
38 blue emergency lighting and a siren, but neither the lighting nor the siren may be

1 displayed or used except when the vehicle is being operated by a law
2 enforcement officer, as defined in Title 25, section 2801-A, subsection 5.

3 **Sec. 5. 29-A MRSA §2113, sub-§1-A** is enacted to read:

4 **1-A. Rolling coal prohibited.** A person may not operate, or cause to have operated,
5 a diesel-powered motor vehicle with a manufacturer's gross vehicle weight rating under
6 18,000 pounds that emits visible smoke on a public way or parking area because of a
7 permanent or temporary alteration to the air pollution control system of the motor vehicle.
8 For the purposes of this subsection, "air pollution control system" has the same meaning
9 as in section 2111, subsection 1.

10 **Sec. 6. 29-A MRSA §2119, sub-§1, ¶C**, as enacted by PL 2011, c. 207, §1, is
11 amended to read:

12 C. "Text messaging" means reading or manually composing electronic
13 communications, including text messages, instant messages and e-mails, using a
14 portable electronic device. "Text messaging" does not include using a global
15 positioning or navigation system or an electronic logging device.

16 **Sec. 7. 29-A MRSA §2380, sub-§8, ¶¶B and C**, as enacted by PL 1993, c. 683,
17 Pt. A, §2 and affected by Pt. B, §5, are amended to read:

18 B. Construction equipment used on way and bridge construction projects; ~~and~~

19 C. A load of loose hay, pea vines, cornstalks or other loosely mounded loads that can
20 not damage structures or threaten public safety; and

21 **Sec. 8. 29-A MRSA §2380, sub-§8, ¶D** is enacted to read:

22 D. Snowplows and equipment mounted on a vehicle traveling from one work
23 location to another work location during a snow event, or traveling from the point of
24 purchase to a storage location, as long as the vehicle does not exceed 108 inches in
25 total width. For the purposes of this paragraph, "snow event" means the period
26 beginning 48 hours before a predicted snowstorm and ending 48 hours after the
27 snowstorm.

28 SUMMARY

29 This bill amends the motor vehicle laws in the following ways.

30 1. It amends the law governing motor vehicle frame end heights to increase
31 dimensions for current weight ranges of vehicles. It also adds vehicles from 11,501
32 pounds to 13,000 pounds, which may have frame end heights of 32 inches in the front and
33 34 inches in the rear.

34 2. It establishes that a vehicle owned by the Department of Public Safety may be
35 equipped with blue emergency lighting and a siren, but neither the lighting nor the siren
36 may be displayed or used except when the vehicle is being operated by a law enforcement
37 officer.

1 3. It establishes that a person may not operate, or cause to have operated, a
2 diesel-powered motor vehicle with a manufacturer's gross vehicle weight rating under
3 18,000 pounds that emits visible smoke on a public way or parking area because of a
4 permanent or temporary alteration to the air pollution control system of the motor vehicle.
5 Emitting visible smoke by using such an alteration is commonly referred to as "rolling
6 coal."

7 4. It excludes the use of electronic logging devices from the definition of "text
8 messaging" in the law that governs text messaging while operating a motor vehicle.

9 5. It establishes that the law governing motor vehicle heights and widths does not
10 apply to snowplows and equipment mounted on a vehicle traveling from one work
11 location to another work location during a snow event, or traveling from the point of
12 purchase to a storage location, as long as the vehicle does not exceed 108 inches in total
13 width. The term "snow event" is defined as the period beginning 48 hours before a
14 predicted snowstorm and ending 48 hours after the snowstorm.