

# MAINE STATE LEGISLATURE

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LAWS  
OF THE  
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

January 5, 1977 to July 25, 1977

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN  
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 164, SUBSECTION 6.

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PORTLAND LITHOGRAPH COMPANY  
PORTLAND, MAINE  
1977

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PUBLIC LAWS  
OF THE  
**STATE OF MAINE**  
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Any action which may result in the imposition of a civil or criminal penalty pursuant to this chapter shall be commenced within 5 years after the cause of action accrues and not afterwards.

Effective October 24, 1977

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## CHAPTER 30

AN ACT to Clarify the Laws Governing Vehicles Overtaking and Passing.

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

Sec. 1. 29 MRSA § 1151 is repealed and the following enacted in its place:

§ 1151. Overtaking a vehicle on the left

The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle unless otherwise permitted by this Title.

Sec. 2. 29 MRSA § 1151-A is enacted to read:

§ 1151-A. When overtaking on the right is permitted

The driver of a vehicle may overtake and pass upon the right of another vehicle only under the following conditions:

1. Left turn imminent. When the vehicle overtaken is making or about to make a left turn;

2. Two or more lines of vehicles in same direction. Upon a street or highway with unobstructed pavement not occupied by parked vehicles of sufficient width for 2 or more lines of moving vehicles in each direction;

3. Certain restricted streets. Upon a one-way street, or upon any roadway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and of sufficient width for 2 or more lines of moving vehicles.

The driver of a vehicle may overtake and pass another vehicle upon the right only under conditions permitting that movement in safety. In no event shall that movement be made by driving off the pavement or main-traveled portion of the roadway.

Sec. 3. 29 MRSA § 1151-B is enacted to read:

§ 1151-B. Audible signal on passing

The driver of an overtaking motor vehicle not within a business or residence district shall give audible warning with his horn or other warning device before passing or attempting to pass a vehicle proceeding in the same direction. During the hours from  $\frac{1}{2}$  hour after sunset to  $\frac{1}{2}$  hour before sunrise, a driver instead of giving any audible warning, may signal by flashing his headlights within 3 seconds from low to high beam and back to low beam.

Effective October 24, 1977

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## CHAPTER 31

### AN ACT to Amend the Maine Milk Law.

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

7 MRSA § 2901, sub-§ 22-A, as enacted by PL 1971, c. 164, § 8, is amended to read:

**22-A. Nonfat milk solids.** Nonfat ~~dry~~ milk solids or defatted milk solids means the product resulting from the removal of fat and water from milk, and contains the lactose, milk proteins, and milk minerals in the same relative proportions as in the fresh milk from which made. It contains not over ~~0.5%~~ 5% by weight of moisture. The fat content is not over 1.5% by weight unless otherwise indicated. Nonfat ~~dry~~ milk solids fortified with vitamins A and D shall provide 500 U.S.P. units of vitamin A and 100 U.S.P. units of vitamin D in 8 fluid ounces of the reconstituted product.

Effective October 24, 1977

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## CHAPTER 32

### AN ACT Relating to Sawdust and Shavings being Transported on Public Ways.

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

29 MRSA § 1752 is amended by inserting at the end the following new sentence:

When the load consists of sawdust, shavings or wood chips, and a reasonable effort has been made to completely cover such load, minor amounts of such a load which are wind blown from the vehicle while in transit shall not constitute a violation.

Effective October 24, 1977