

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 37

H. P. 32 House of Representatives, December 19, 1980

Submitted by the Department of Transportation pursuant to Joint Rule 24.
Reference to the Committee on Transportation suggested.

EDWIN H. PERT, Clerk

Presented by Mr. Carroll of Limerick

STATE OF MAINE

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

**AN ACT TO Modify Certain Rules of the Road to Conform with the Uniform
Vehicle Code.**

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

Sec. 1. 29 MRSA § 944-A, is enacted to read:

§ 944-A. Right of way; highway construction and maintenance areas

The driver of a vehicle shall yield the right of way to any authorized vehicle or pedestrian actually engaged in work upon a highway within any highway construction or maintenance area indicated by official traffic control devices.

The driver of a vehicle shall yield the right of way to any authorized vehicle obviously and actually engaged in work upon a highway whenever such vehicle displays flashing lights meeting the requirements of section 1368, subsection 3 and section 1462.

Sec. 2. 29 MRSA § 946-A, is enacted to read:

§ 946-A. Authorized emergency vehicles

1. Exercise of privileges. The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section, but subject to the conditions stated in this section.

2. **Parking; proceeding past stop sign; exceeding speed limit. The driver of an authorized emergency vehicle may:**

- A. **Park or stand, irrespective of the provisions of this chapter;**
- B. **Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;**
- C. **Exceed the maximum speed limits so long as he does not endanger life or property; and**
- D. **Disregard regulations governing direction of movement or turning in specified directions.**

3. **Audible signals; visual signals. The exemptions granted in this section to an authorized emergency vehicle apply only when that vehicle is making use of an audible signal as required in sections 946 and 1362 and visual signals as required in sections 946 and 1368, except that an authorized emergency vehicle operated as a police vehicle need not be equipped with or display a special visual signal visible from in front of the vehicle.**

4. **Duty to drive with due regard for safety. The provisions of this section do not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor do these provisions protect the driver from the consequences of his reckless disregard for the safety of others.**

Sec. 3. **29 MRSA § 994, sub-§ 2, is amended by adding at the end a new paragraph to read:**

The driver of a vehicle intending to turn to the left shall yield the right of way to any vehicle approaching from the opposite direction which is so close as to constitute an immediate hazard.

Sec. 4. **29 MRSA § 999, as last amended by PL 1977, c. 402, § 4, is further amended by adding at the end the following:**

All motorcycles or motor driven cycles, other than mopeds, may fully use a lane and no motor vehicle may be driven in such a manner as to deprive any motorcycle of the full use of a lane.

The operator of a motorcycle or a motor driven cycle shall not overtake and pass in the lane occupied by the vehicle being overtaken. This paragraph does not apply to a motorcyclist passing a bicycle nor to a police officer in the performance of his duties.

No person may operate a motorcycle between lanes of traffic or between adjacent lines or rows of vehicles. This paragraph does not apply to police officers in the performance of their duties.

STATEMENT OF FACT

This bill has been developed in order to revise current Maine statutes that have

been nonuniform, obsolete and in need of modernization based upon the most recent edition of the Uniform Vehicle Code prepared by the National Committee on Uniform Traffic Laws and Ordinances.

Sections of the Uniform Vehicle Code to which reference is made are as follows: (1) Section 11-406, revised in 1971; (2) Section 11-106, revised in 1979; (3) Section 11-402, revised in 1979 and (4) Section 11-1305, revised in 1979.