

MAINE STATE LEGISLATURE

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EMERGENCY
FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 433

H. P. 390

House of Representatives, January 26, 1981

Referred to the Committee on Transportation. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Paul of Sanford.

STATE OF MAINE

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

AN ACT to Authorize the Use of Flashing Lights by Passenger Buses.

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

Whereas, there presently exist a safety hazard for many Maine citizens many of whom are children; and

Whereas, the health and welfare of our people is daily endangered because of the absence of such a safety measure; and

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,

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

Sec. 1. 29 MRSA § 1368, sub-§ 1, last sentence, as amended by PL 1975, c. 770, § 151, is further amended to read:

Nothing herein shall limit the use of lights showing a red beam of light to the front or rear of school buses, provided those lights are of a type approved by the Commissioner of Educational and Cultural Services as stated in section 2021 or the use of such lights on passenger buses under subchapter XII-A; nor shall any

designation or authorization by the Commissioner of Transportation be required for the use of emergency lights authorized under this section.

Sec. 2. 29 MRSA c. 11, sub-c. XII-A is enacted to read:

SUBCHAPTER XII-A

PASSENGER BUSES

§ 2041. Flashing red lights; use

1. **Flashing lights.** Any bus operated in the State may use a system of red flashing lights on that bus.

2. **Use.** All bus operators of buses equipped with a system of red flashing lights shall activate the system at least 100 feet before any stop is made to receive or discharge passengers and these lights shall be continually displayed until after the bus has received or discharged its passengers.

3. **Use of lights restricted.** A bus operator shall not use the system of flashing lights on a bus for any purpose other than controlling traffic in connection with the stopping of that bus for the purpose of receiving or discharging passengers.

§ 2042. Stopping for buses

1. **Stopping.** The operator of a vehicle on a way, upon meeting or overtaking a bus from either direction which has stopped, with its red lights flashing, on the way to receive or discharge passengers, shall stop the vehicle before reaching the bus and the operator may not proceed until the bus resumes motion or until signaled by the bus operator to proceed.

2. **Separated roadways.** The operator on a way with roadways separated by curbing or other similar physical barrier need not stop upon meeting or passing a bus which is stopped, with its red lights flashing, traveling in a lane separated by the barrier from the lane that operator is traveling in, or when upon a limited access highway and the bus is stopped in a loading zone, which is part of or adjacent to that highway and where pedestrians are not permitted to cross the roadway.

§ 2043. Violation

A violation of this subchapter is a Class E crime.

Emergency clause. In view of the emergency cited in the preamble, this Act shall become effective when approved.

STATEMENT OF FACT

The intent of this bill is to allow the use of emergency flashing red lights on passenger buses. Presently, only school buses may use their flashing lights when stopping to either pick up or discharge its passengers. Other buses, many of which carry children attending camp programs or similar functions, may not use these lights. This measure would allow the driver of any bus which carries passengers to use the flashing red light system on that vehicle. It would be unlawful for any motor vehicle to pass any bus which displays flashing red lights. The operator of any motor vehicle shall only proceed after the emergency red lights have been silenced.