

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 1013

6
7 H.P. 784

House of Representatives, March 3, 1983

8 On Motion of Representative Carroll of Limerick referred to the Commit-
9 tee on Transportation. Sent up for concurrence and ordered printed.

10 EDWIN H. PERT, Clerk

Presented by Representative Connolly of Portland.

Cosponsors: Representative Reeves of Pittston and Senator Bustin of Ken-
11 nebec.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT to Improve Motor Vehicle Laws
18 Regarding Pedestrian Safety.
19

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

22 Sec. 1. 29 MRSA §950-A is enacted to read:

23 §950-A. Driver's due care

24 The operator of any motor vehicle shall exercise
25 extreme caution when approaching a pedestrian, or
26 when a pedestrian is approaching so closely from the
27 opposite half of the roadway as to be in danger, par-
28 ticularly, if the pedestrian is a child or an obvi-
29 ously confused, incapacitated or intoxicated person.
30 For purposes of this section, a pedestrian includes
31 any person propelling a human-powered vehicle. When
32 driving within any business or urban residential dis-
33 trict, the operator shall reduce his speed and

1 attempt to determine the intention of the pedestrian
2 and shall give warning by sounding his horn or
3 yielding when necessary.

4 Sec. 2. 29 MRSA §954, sub-§§1 and 2, as enacted
5 by PL 1967, c. 245, §16, are repealed and the follow-
6 ing enacted in their place:

7 1. Crosswalks. The driver of any vehicle shall
8 stop and yield the right of way to a pedestrian
9 crossing the roadway within any marked or unmarked
10 crosswalk at an intersection.

11 2. Prohibition. The provisions of this section
12 shall not relieve a pedestrian from the duty of using
13 due care for his safety or his responsibility to ad-
14 here to traffic control signals. No pedestrian may
15 suddenly leave a curb or other place of safety and
16 walk or run into the path of a vehicle which is so
17 close as to constitute an immediate hazard.

18 Sec. 3. 29 MRSA §1252, sub-§2, ¶C, as amended by
19 PL 1971, c. 593, §22, is repealed and the following
20 enacted in its place:

21 C. Speeds in excess of 20 miles an hour in a
22 business or urban residential district, or
23 built-up portion, as defined in subsection 3, or
24 30 miles an hour in rural residential areas,
25 shall be unlawful.

26 Sec. 4. 29 MRSA §1252, sub-§3-A is enacted to
27 read:

28 3-A. Violations of speed laws in built-up and
29 rural residential areas. Notwithstanding any other
30 provisions of law, a person adjudged to have violated
31 the speed limits of subsection 2, paragraph C, by
32 more than 10 miles per hour shall be fined at least
33 \$50. This fine shall be increased \$10 for every ad-
34 ditional 10-mile per hour increase.

35 Sec. 5. 29 MRSA §1313-A is enacted to read:

36 §1313-A. Vehicular manslaughter

1 Any person who causes the death of another person
2 while operating a motor vehicle shall be subject to
3 the provisions of Title 17-A, section 203.

4 An operator of a motor vehicle who is responsible
5 for the death of another person while under the
6 influence of intoxicating liquor or drugs commits a
7 Class C crime.

8 Any motor vehicle operator who unintentionally
9 causes the death of another person through a viola-
10 tion of any other provision of subchapter II or III
11 commits a Class D crime.

12 STATEMENT OF FACT

13 This bill brings Maine traffic laws into compli-
14 ance with many provisions of the Uniform Vehicle
15 Code. Speed laws and driver conduct are redefined in
16 regards to pedestrian zones. Vehicular manslaughter
17 is clarified with added penalties relating to intoxi-
18 cated drivers.

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