

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 1051

7 H.P. 811

House of Representatives, March 4, 1983

8 Submitted by the Department of Public Safety pursuant to Joint Rule 24.
9 On Motion of Representative Carroll of Limerick, referred to the
Committee on Transportation. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

10 Presented by Representative Theriault of Fort Kent.

Cosponsors: Representative Moholland of Princeton, Representative
Norton of Biddeford and Representative Tammaro of Baileyville.

12 STATE OF MAINE
13

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

17 AN ACT to Modify Certain Rules of the
18 Road to Conform with the Uniform Vehicle
19 Code.
20

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

23 Sec. 1. 29 MRSA §§904-A and 904-B are enacted
24 to read:

25 §904-A. Pedestrians on ways; drivers to exercise due
26 care

27 Notwithstanding other provisions of this chapter
28 or the provisions of any local ordinance, every
29 driver of a vehicle shall exercise due care to avoid
30 colliding with any pedestrian and shall give warning
31 by sounding the horn when necessary and shall exer-
32 cise proper precaution upon observing any child or
33 any obviously confused, incapacitated or intoxicated
34 person.

1 §904-B. Pedestrians' right-of-way on sidewalks

2 The driver of a vehicle shall yield the right-
3 of-way to any pedestrian on a sidewalk.

4 Sec. 2. 29 MRSA §941 is repealed and the follow-
5 ing enacted in its place:

6 §941. Persons riding animals or driving animal-drawn
7 vehicles

8 Every person riding an animal or driving any ani-
9 mal-drawn vehicle upon a roadway shall be granted all
10 of the rights and shall be subject to all of the
11 duties applicable to the driver of a vehicle by this
12 chapter, except those provisions of this chapter
13 which by their very nature have no application.

14 Sec. 3. 29 MRSA §941-A is enacted to read:

15 §941-A. Obedience to and required traffic-control
16 devices

17 The driver of any vehicle shall obey the instruc-
18 tions of any official traffic-control device, appli-
19 cable thereto placed in accordance with this chapter,
20 unless otherwise directed by a police officer, sub-
21 ject to the exceptions granted the driver of an
22 authorized emergency vehicle in this chapter.

23 No provision of this chapter for which official
24 traffic-control devices are required may be enforced
25 against an alleged violator if, at the time and place
26 of the alleged violation, an official device is not
27 in proper position and sufficiently visible to be
28 seen by an ordinarily observant person.

29 Whenever official traffic-control devices are
30 placed in position approximately conforming to the
31 requirements of this chapter, these devices shall be
32 presumed to have been so placed by the official act
33 or direction of lawful authority, unless the contrary
34 is established by competent evidence.

35 Any official traffic-control device placed pur-
36 suant to this chapter and purporting to conform to
37 the lawful requirements pertaining to these devices

1 shall be presumed to comply with the requirements of
2 this chapter, unless the contrary is established by
3 competent evidence.

4 Sec. 4. 29 MRSA §944-B is enacted to read:

5 §944-B. Right-of-way; vehicle turning left

6 The driver of a vehicle intending to turn to the
7 left within an intersection or into an alley, private
8 road or driveway shall yield the right-of-way to any
9 vehicle approaching from the opposite direction which
10 is within the intersection or so close to the inter-
11 section as to constitute an immediate hazard.

12 Sec. 5. 29 MRSA §1151-B, as enacted by PL 1977,
13 c. 30, §3, is amended to read:

14 §1151-B. Audible signal on passing

15 The driver of an overtaking motor vehicle not
16 within a business or residence district shall give
17 audible warning with his horn or other warning device
18 before passing or attempting to pass a vehicle pro-
19 ceeding in the same direction only when necessary to
20 insure safe operation or to avoid a collision.
21 During the hours from 1/2 hour after sunset to 1/2
22 hour before sunrise, a driver instead of giving any
23 audible warning, may signal by flashing his head-
24 lights within 3 seconds from low to high beam and
25 back to low beam.

26 STATEMENT OF FACT

27 This bill has been developed in order to revise
28 current Maine statutes that have been nonuniform,
29 obsolete and in need of modernization based upon the
30 most recent edition of the United States Uniform
31 Vehicle Code prepared by the National Committee on
32 Uniform Traffic Laws and Ordinances.

33 2387021983