

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE  
4

5 Legislative Document

No. 362

6  
7 S.P. 122

In Senate, February 1, 1985

8 Reference to the Committee on Transportation suggested and ordered  
9 printed.

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Twitchell of Oxford.

Cosponsored by Representative Walker of Norway, Representative  
11 Paradis of Augusta and Representative Sproul of Augusta.

12 STATE OF MAINE  
13

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

17 AN ACT to Authorize the Use of Blue Lights on  
18 Liquor Enforcement Vehicles.  
19

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

22 Sec. 1. 29 MRSA §1362, as amended by PL 1975, c.  
23 497, §3, is further amended to read:

24 §1362. Brakes; signals; unnecessary noise; bells and  
25 sirens; exceptions

26 Every motor vehicle shall be provided with ade-  
27 quate brakes in good working order and sufficient to  
28 control such vehicle at all times when the same is in  
29 use, and a suitable and adequate horn or other device  
30 for signaling. Every such motor vehicle shall have  
31 brakes adjusted so as to stop 2-wheel brake vehicles  
32 at a speed of 20 miles per hour within a distance of  
33 45 feet and 4-wheel brake vehicles within 30 feet,  
34 excepting motorcycles and motor driven cycles, which  
35 at all times and under all conditions of loading,

1 shall have brakes adjusted so as to stop such vehi-  
2 cles within a distance of 30 feet from a speed of 20  
3 miles per hours. Every such vehicle and combination  
4 of vehicles, except motorcycles and motor driven cy-  
5 cles, shall be equipped with parking brakes adequate  
6 to hold the vehicle on any grade on which it is oper-  
7 ated, under all conditions of loading, on a surface  
8 free from snow, ice or loose material. The parking  
9 brakes shall be capable of being applied in conform-  
10 ance with the foregoing requirements by the driver's  
11 muscular effort or by spring action or by equivalent  
12 means. Their operation may be assisted by the service  
13 brakes or other source of power, provided that fail-  
14 ure of the service brake actuation system or other  
15 power assisting mechanism will not prevent the park-  
16 ing brakes from being applied in conformance with the  
17 foregoing requirements. The parking brakes shall be  
18 so designed that when once applied they shall remain  
19 applied with the required effectiveness despite ex-  
20 haustion of any source of energy or leakage of any  
21 kind. The same brake drums, brake shoes and lining  
22 assemblies, brake shoe anchors and mechanical brake  
23 shoe actuation mechanism normally associated with the  
24 wheel brake assemblies may be used for both the ser-  
25 vice brakes and the parking brakes. If the means of  
26 applying the parking brakes and the service brakes  
27 are connected in any way, they shall be so con-  
28 structed that failure of any one part shall not leave  
29 the vehicle without operative brakes. No signaling  
30 device shall be unnecessarily sounded nor any braking  
31 or acceleration unnecessarily made so as to cause a  
32 harsh, objectionable or unreasonable noise, and no  
33 bell or siren shall be installed or used on any motor  
34 vehicle except that fire and police department vehi-  
35 cles and ambulances, and vehicles operated by state,  
36 city and town fire inspectors, city and town fire  
37 chiefs, assistant fire chiefs, police chiefs and as-  
38 sistant police chiefs may be so equipped for use only  
39 when responding to emergency calls, and such motor  
40 vehicles used by sheriffs and deputy sheriffs, state  
41 liquor inspectors, and such motor vehicles used by  
42 inland fisheries and game wardens as may be desig-  
43 nated by the Department of Inland Fisheries and Wild-  
44 life and such motor vehicles used by coastal wardens  
45 as may be designated by the Department of Marine Re-  
46 sources, and such motor vehicles used by United  
47 States Government law enforcement officials, and such

1 motor vehicles used by a state or municipal depart-  
2 ment which controls or supervises electrical alarm  
3 and communication systems.

4 Sec. 2. 29 MRSA §1368, sub-§2, as amended by PL  
5 1973, c. 31, is further amended to read:

6 2. Police department vehicles. Lights used on  
7 police department vehicles and on motor vehicles op-  
8 erated by chiefs of police, state fire inspectors,  
9 state liquor inspectors, inland fisheries and game  
10 wardens, sea and shore fisheries wardens, Baxter  
11 State Park rangers, sheriffs and deputy sheriffs  
12 shall emit a blue beam of light.

13 STATEMENT OF FACT

14 The purpose of this bill is to provide state li-  
15 quor enforcement officers with the same safety equip-  
16 ment, that being a flashing blue light and siren used  
17 by all other state law enforcement officers.

18 The current law provides that the liquor enforce-  
19 ment officers have the responsibility to enforce  
20 Maine laws to control liquor and dangerous drugs and  
21 all other powers to arrest any person committing a  
22 crime in an officers presence. The law now provides  
23 that for these purposes liquor enforcement officers  
24 have the same powers as sheriffs in their respective  
25 counties and these powers can only be exercised by  
26 officers who have completed training at the Maine  
27 Criminal Justice Academy.

28 Successful completion of this mission and the  
29 ability to arrest drivers operating motor vehicles  
30 while under the influence of alcohol and drugs re-  
31 quires the same use of flashing lights and sirens as  
32 those granted other state law enforcement personnel.

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