

MAINE STATE LEGISLATURE

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L.D. 2092
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STATE OF MAINE
SENATE
113TH LEGISLATURE
SECOND REGULAR SESSION

7 COMMITTEE AMENDMENT " A " to S.P. 795, L.D. 2092,
8 Bill, "AN ACT to Prohibit the Display of Blue Lights
9 on Vehicles Other than those Used by Authorized Law
10 Enforcement Officers and Agencies."

11 Amend the bill by inserting after the enacting
12 clause the following:

13 'Sec. 1. 28-A MRSA §2212, as enacted by PL 1987,
14 c. 45, Pt. A, §4, is amended to read:

15 §2212. State liquor enforcement officers vehicles

16 Notwithstanding the provisions of Title 29,
17 ~~sections section~~ 1362 and 1368, motor vehicles
18 operated by state liquor enforcement officers may be
19 equipped with sirens and. As provided in Title 29,
20 section 1367-B, those vehicles may be equipped with
21 lights which emit a blue beam of light. The equipment
22 permitted by this section may be used only to
23 discharge law enforcement responsibilities in
24 connection with this Title and Title 29, sections 1312
25 and 1312-B.

26 Sec. 2. 29 MRSA §52, as amended by PL 1981, c.
27 696, §2, is further amended to read:

28 §52. Deputy

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1 The Secretary of State may appoint and deputize
 2 agents, examiners and inspectors, stationed at
 3 convenient places in the State, to receive
 4 applications for registration and licenses for the
 5 operation of vehicles, to conduct examinations and to
 6 perform any assigned duties pursuant to this Title
 7 when ordered by the Secretary of State. Any motor
 8 vehicle inspector appointed under this section shall
 9 have the duty and all necessary authority to enforce
 10 the provisions of chapter 5, subchapter III-A and
 11 chapters 7, 15 and 21 and to enforce all rules
 12 promulgated to implement these provisions. Enforcement
 13 power as it relates to this section shall not include
 14 provisions under section ~~1368~~, ~~subsection 2~~ 1367-B,
 15 subsection 3 and shall not be considered as having
 16 authority to make routine motor vehicle stops on the
 17 highways of the State.

18 **Sec. 3.** 29 MRSA §944-A, 2nd ¶, as enacted by PL
 19 1981, c. 88, §1, is amended to read:

20 The driver of a vehicle shall yield the
 21 right-of-way to any authorized vehicle obviously and
 22 actually engaged in work upon a highway whenever such
 23 vehicle displays flashing lights meeting the
 24 requirements of section ~~1368~~, ~~subsection 3~~ 1367-B,
 25 subsection 5 and section 1462.

26 **Sec. 4.** 29 MRSA §946, as amended by PL 1985, c.
 27 108, §9, is further amended to read:

28 §946. Police and fire vehicles

29 Police, fire department, forest fire control
 30 vehicles and ambulance vehicles, when operated in
 31 response to calls, or when a police officer is in
 32 pursuit of a motor vehicle operator for which he has
 33 probable cause to believe that the operator has
 34 committed or is in the process of committing a
 35 violation of law, and vehicles of the Department of
 36 Corrections making use of a blue light or a siren
 37 shall have the right-of-way. On the approach of any
 38 such vehicle, from any direction, and when such
 39 vehicle is sounding a siren and emitting a flashing
 40 light, the driver of every other vehicle shall

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1 immediately draw his vehicle as near as practicable to
2 the right-hand curb and parallel thereto, clear of any
3 intersection, and bring it to a standstill until such
4 public service vehicles have passed.

5 Sec. 5. 29 MRSA §946-A, sub-§3, as enacted by PL
6 1981, c. 88, §2, is amended to read:

7 3. Audible signals; visual signals. The
8 exemptions granted in this section to an authorized
9 emergency vehicle apply only when that vehicle is
10 making use of an audible signal as required in
11 sections 946 and 1362 and visual signals as required
12 in sections 946 and ~~1368~~ 1367-B, except that an
13 authorized emergency vehicle operated as a police
14 vehicle need not be equipped with or display a special
15 visual signal visible from in front of the vehicle.

16 Sec. 6. 29 MRSA §946-A, sub-§5, is enacted to
17 read:

18 5. Limited privileges authorized. Vehicles
19 designated by the Department of Corrections to carry
20 blue lights and sirens may exercise the privileges of
21 emergency vehicles in accordance with this section
22 except that they may not exceed the maximum speed
23 limits, notwithstanding subsection 2, paragraph C.

24 Sec. 7. 29 MRSA §1362, as repealed and replaced
25 by PL 1985, c. 506, Pt. A, §56, is repealed and the
26 following enacted in its place:

27 §1362. Brakes; signals; unnecessary noise; bells and
28 sirens; exceptions

29 Every motor vehicle shall be provided with
30 adequate brakes in good working order and sufficient
31 to control the vehicle at all times when the vehicle
32 is in use, and a suitable and adequate horn or other
33 device for signaling. Every such motor vehicle shall
34 have brakes adjusted so as to stop 2-wheel brake
35 vehicles at a speed of 20 miles per hour within a
36 distance of 45 feet and 4-wheel brake vehicles within
37 30 feet, excepting motorcycles and motor driven
38 cycles, which, at all times and under all conditions
39 of loading, shall have brakes adjusted so as to stop

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1 the vehicles within a distance of 30 feet from a speed
2 of 20 miles per hour. Every such vehicle and
3 combination of vehicles, except 2-wheel motorcycles
4 and 2-wheel motor driven cycles, shall be equipped
5 with parking brakes adequate to hold the vehicle on
6 any grade on which it is operated, under all
7 conditions of loading, on a surface free from snow,
8 ice or loose material. The parking brakes shall be
9 capable of being applied in conformance with the
10 requirements of this section by the driver's muscular
11 effort or by spring action or by equivalent means.
12 Their operation may be assisted by the service brakes
13 or other source of power, provided that failure of the
14 service brake actuation system or other power
15 assisting mechanism will not prevent the parking
16 brakes from being applied in conformance with the
17 requirements of this section. The parking brakes shall
18 be so designed that when once applied they shall
19 remain applied with the required effectiveness despite
20 exhaustion 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
25 service brakes and the parking brakes. If the means of
26 applying the parking brakes and the service brakes are
27 connected in any way, they shall be so constructed
28 that failure of any one part shall not leave the
29 vehicle without operative brakes.

30 No signaling device may be unnecessarily sounded
31 nor any braking or acceleration unnecessarily made so
32 as to cause a harsh, objectionable or unreasonable
33 noise. No bell or siren may be installed or used on
34 any motor vehicle, except that fire and police
35 department vehicles and ambulances and vehicles
36 operated by state, city and town fire inspectors, city
37 and town fire chiefs, assistant fire chiefs, police
38 chiefs and assistant police chiefs may be so equipped
39 for use only when responding to emergency calls; motor
40 vehicles used by forest rangers or personnel engaged
41 in forest fire control as may be designated by the
42 Department of Conservation; motor vehicles used by
43 sheriffs and deputy sheriffs; motor vehicles used by
44 inland fisheries and game wardens as may be designated
45 by the Department of Inland Fisheries and

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1 Wildlife; motor vehicles used by coastal wardens as
 2 may be designated by the Department of Marine
 3 Resources; motor vehicles used by United States
 4 Government law enforcement officials; motor vehicles
 5 used by a state or municipal department which controls
 6 or supervises electrical alarm and communication
 7 systems may be so equipped for use as provided by law;
 8 and motor vehicles used by corrections personnel as
 9 may be designated by the Department of Corrections may
 10 be so equipped for use only when responding to prison
 11 escapes or performing high-security transfers of
 12 committed offenders.'

13 Further amend the bill in section 1, in that part
 14 designated "§1367-B.", by striking out all of
 15 subsection 3 and inserting in its place the following:

16 '3. Blue lights. Emergency lights used on police
 17 department vehicles, on Department of Corrections
 18 vehicles and on motor vehicles operated by chiefs of
 19 police, state fire inspectors, inland fisheries and
 20 wildlife wardens, marine patrol officers, Baxter State
 21 Park rangers, sheriffs, deputy sheriffs, liquor
 22 enforcement officers and United States Government law
 23 enforcement officers shall emit a blue beam of light.
 24 No other vehicle may be equipped with or display a
 25 blue light.'

26 Further amend the bill by renumbering the sections
 27 to read consecutively.

28 STATEMENT OF FACT

29 The amendment makes technical changes and adds to
 30 the list of vehicles which may carry blue lights
 31 United States Government law enforcement officers and
 32 liquor enforcement officers who are so authorized by
 33 the Maine Revised Statutes, Title 28-A. It also
 34 authorizes corrections personnel to use blue lights
 35 and sirens, but not to exceed posted speed, when
 36 responding to prison escapes or performing
 37 high-security transfers.

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