

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 64

S.P. 74

In Senate, February 2, 1989

Submitted by the Department of Corrections pursuant to Joint Rule 24.
Reference to the Committee on Legal Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

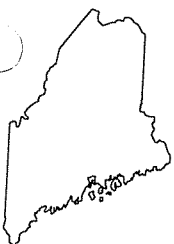
Presented by Senator GILL of Cumberland.

Cosponsored by Senator BRANNIGAN of Cumberland, Representative GREENLAW of Standish and Representative CARROLL of Gray.

STATE OF MAINE

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

An Act to Clarify the Law Authorizing the Use of Warning Devices on
Department of Corrections' Vehicles.



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

3 **Sec. 1. 29 MRSA §946**, as amended by PL 1987, c. 644, §4, is
5 further amended to read:

7 **§946. Police and fire vehicles**

9 Police, fire department, forest fire control vehicles and
11 ambulance vehicles, when operated in response to calls, or when a
13 police officer is in pursuit of a motor vehicle operator for
15 which he has probable cause to believe that the operator has
17 committed or is in the process of committing a violation of law,
19 and vehicles of the Department of Corrections making use of a
21 blue light ~~ex~~ and a siren shall have the right-of-way. On the
approach of any such vehicle, from any direction, and when such
vehicle is sounding a siren and emitting a flashing light, the
driver of every other vehicle shall immediately draw his vehicle
as near as practicable to the right-hand curb and parallel
thereto, clear of any intersection, and bring it to a standstill
until such public service vehicles have passed.

23 **Sec. 2. 29 MRSA §1362, 2nd ¶**, as repealed and replaced by PL
1987, c. 644, §7, is amended to read:

25 No signaling device may be unnecessarily sounded nor any
27 braking or acceleration unnecessarily made so as to cause a
harsh, objectionable or unreasonable noise. No bell or siren may
be installed or used on any motor vehicle, except that fire and
29 police department vehicles and ambulances and vehicles operated
by state, city and town fire inspectors, city and town fire
31 chiefs, assistant fire chiefs, police chiefs and assistant police
chiefs may be so equipped for use only when responding to
33 emergency calls; motor vehicles used by forest rangers or
personnel engaged in forest fire control as may be designated by
35 the Department of Conservation; motor vehicles used by sheriffs
and deputy sheriffs; motor vehicles used by inland fisheries and
37 game wardens as may be designated by the Department of Inland
Fisheries and Wildlife; motor vehicles used by coastal wardens as
39 may be designated by the Department of Marine Resources; motor
vehicles used by United States Government law enforcement
41 officials; motor vehicles used by a state or municipal department
which controls or supervises electrical alarm and communication
43 systems may be so equipped for use as provided by law; and motor
vehicles used by corrections personnel as may be designated by
45 the Department of Corrections may be so equipped for use only
47 when responding to prison committed offender escapes or
performing high-security transfers of committed offenders.

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STATEMENT OF FACT

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This bill requires Department of Corrections' vehicles to use both blue lights and sirens, as other covered vehicles must, in order to be given the right-of-way.

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This bill also clarifies that Department of Corrections' vehicles may use warning devices when responding to the escape of any committed offender, not just those from the prison.

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