

# MAINE STATE LEGISLATURE

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R. OF S.

L.D. 264

(Filing No. H- 51 )

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
116TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 202, L.D. 264, Bill, "An Act Regarding Motorized Wheelchairs"

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

Sec. 1. 29 MRSA §1, sub-§7, as amended by PL 1989, c. 243, is further amended to read:

7. **Motor vehicle.** "Motor vehicle" means any self-propelled vehicle not operated exclusively on tracks, but not including motorized wheelchairs, snowmobiles as defined in Title 12, section 7821, and all-terrain vehicles as defined in Title 12, section 7851, unless the all-terrain vehicle is registered for highway use by the Secretary of State under this Title. Notwithstanding any other provision of law, whenever an all-terrain vehicle is operated on a way as defined in section 1, subsection 21, then that all-terrain vehicle shall be is subject to all provisions of this Title, except chapters 5, 7, 9, 21, 23 and 25, and chapter 22, sections 2502 through to 2525.

Sec. 2. 29 MRSA §1, sub-§9-D is enacted to read:

9-D. Pedestrian. "Pedestrian" means a person on foot, an operator of a wheelchair or a persons using another device for assistance.'

Further amend the bill by inserting before the statement of fact the following:

**COMMITTEE AMENDMENT**

'Sec. 2. 29 MRSA §904 is amended by adding at the end a new paragraph to read:

A motorized wheelchair used on a way in the nighttime must display reflectors, reflector strips or fluorescent flags visible from the front and from the rear. For the purposes of this section, "nighttime" means the period 1/2 hour after sunset to 1/2 hour before sunrise.'

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

#### STATEMENT OF FACT

This amendment is the majority report of the Joint Standing Committee on Transportation. This amendment excludes motorized wheelchairs from the definition of motor vehicle and creates a definition of pedestrian that includes wheelchair operators. This amendment also requires motorized wheelchairs to display reflectors, reflective strips or fluorescent flags in the nighttime.

Reported by the Majority of the Committee on Transportation  
Reproduced and distributed under the direction of the Clerk of the House  
3/11/93 (Filing No. H-51)