

# MAINE STATE LEGISLATURE

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R. of S.

L.D. 1608

DATE: 2/17/94

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

COMMITTEE AMENDMENT "A" to H.P. 1200, L.D. 1608, Bill, "An Act to Amend the Motor Vehicle Laws"

Amend the bill by striking out all of section 1 and inserting in its place the following:

'Sec. 1. 29 MRSA §891, 3rd ¶, as amended by PL 1987, c. 46, §3, is further amended to read:

The driver of any vehicle, except a snowmobile as defined by Title 12, section 7821, or an all-terrain vehicle defined by Title 12, section 7851, unless the all-terrain vehicle is registered for highway use by the Secretary of State under this Title, involved in an accident resulting in injuries to or death of any person or property damage to the apparent amount of \$500 or more, or some person acting for ~~him~~ the driver, or the owner of the vehicle having knowledge of the accident ~~should~~ if the operator of ~~same~~ the vehicle is unknown, shall, immediately by the quickest means of communication, give notice of the accident ~~either~~ to a state police officer, or ~~to~~ the nearest state police field office, or to the sheriff's office, or ~~to~~ a deputy sheriff, within the county ~~wherein~~ in which the accident occurred, or to the office of the police department, or ~~to~~ an officer, of the municipality ~~wherein~~ in which the accident occurred. The absence of notice having been given to the nearest state police field office or to the sheriff's office within the county ~~wherein~~ in which the accident occurred or the office of the police department of the municipality ~~wherein~~ in which the accident occurred shall ~~be deemed~~ is considered prima facie evidence of a

COMMITTEE AMENDMENT

R. of S.

2 violation of this section. Any person failing to comply with the  
3 requirements of this paragraph shall--be is guilty of a  
4 misdemeanor. Every such notice received by any such official or  
5 department shall must be promptly investigated. If the accident  
6 results in serious bodily injury or death of any person, the  
7 investigation shall must be conducted by an officer who has met  
8 the training standards of a full-time police officer.'

10 Further amend the bill in section 2 in the first paragraph  
11 in the 7th line (page 1, line 42 in L.D.) by striking out the  
12 following: "him" and inserting in its place the following: 'him  
the driver'

14 Further amend the bill in section 3 in subparagraph (6) by  
15 striking out all of the last 2 lines (page 2, lines 7 and 8 in  
16 L.D.) and inserting in their place the following: 'be equipped  
with auxiliary lights. The auxiliary lights must be amber.'

18 Further amend the bill by striking out all of sections 6 and  
19 7 and inserting in their place the following:

22 'Sec. 6. 29 MRSA §1366, 3rd ¶, as amended by PL 1971, c. 360,  
23 §34, is further amended to read:

24  
25 Every motor vehicle other than a motorcycle or motor driven  
26 cycle, shall must have mounted on the front thereof at least 2  
27 headlamps with at least one on each side. Every motorcycle and  
28 every motor driven cycle shall must have mounted on the front  
29 thereof at least one lamp. If any such vehicle is so mechanically  
30 constructed, governed or controlled that it cannot can not exceed  
31 a speed of 15 miles per hour, it shall must have front lamps  
32 capable of furnishing light of sufficient candle power to render  
33 any substantial object clearly discernible on a level way at  
34 least 50 feet directly ahead and at the same time at least 7 feet  
35 to the right of the axis of such that vehicle for a distance of  
36 at least 25 feet. If said those vehicles can exceed a speed of 15  
37 miles per hour, then they shall must have front lamps capable of  
38 furnishing light of sufficient candle power to render any  
39 substantial object clearly discernible on a level way at least  
40 200 feet directly ahead and at the same time at least 7 feet to  
41 the right of the axis of such vehicle for a distance of at least  
42 100 feet. No A front lamp capable of furnishing more than 4  
43 candle power light shall may not be used if equipped with a  
44 reflector, unless so designed, equipped or mounted that no  
45 portion of the beam of light when projected 75 feet or more ahead  
46 of the lamps shall-~~rise~~ rises above a plane of 42 inches higher  
47 than and parallel with the level surface on which the vehicle  
48 stands. At no time shall may the top of any main beam of light be  
49 higher than the headlight centers. No An electric bulb or other  
50 lighting device of a greater capacity than 32 candle power shall

2 may not be used, no matter how ~~the same~~ it may be shaded, covered  
or obscured, except the seal beam unit, so called, which is  
4 standard headlight equipment for motor vehicles. For the purpose  
of enforcing this section, it ~~shall be deemed to be~~ is a  
6 violation if a front light or front lights of a motor vehicle  
~~prejects~~ project the top of any main beam, at a distance of 25  
8 feet ahead of the motor vehicle, on an approximately level  
stretch of highway, onto the body of a person or on a motor  
10 vehicle or any object, at a height greater than the distance of  
the centers of the front lights from the highway.

12 **Sec. 7. 29 MRSA §1366, 6th ¶,** as amended by PL 1971, c. 360,  
§39, is further amended to read:

14 All lights, reflectors and signal lamps required by law to  
16 be displayed on the rear of all vehicles of 7 feet or over in  
width shall must be at least within 12 inches of the extreme  
18 extension of the rear of ~~such~~ that vehicle, except for trailers  
if the lights, reflectors and signal lamps are installed by the  
20 commercial trailer manufacturer and except that on flat-body dump  
trucks of 7 feet or over in width ~~such~~ those lights and signal  
22 lamps may be displayed on the rear of the frame of the vehicle.'

24 Further amend the bill by striking out all of section 8.

26 Further amend the bill in section 9 in subsection 3 in the  
2nd line (page 4, line 2 in L.D.) by striking out the following:  
28 "shall" and inserting in its place the following: 'shall must'  
and in the next to the last line (page 4, line 6 in L.D.) by  
30 striking out the following: "shall" and inserting in its place  
the following: 'shall must'

32 Further amend the bill in section 11 in the first paragraph  
34 in the 4th line (page 4, line 28 in L.D.) by striking out the  
following: "shall" and inserting in its place the following:  
36 'shall must'

38 Further amend the bill by inserting after section 11 the  
following:

40 **'Sec. 12. 29 MRSA §2513, sub-§4** is enacted to read:

42 **4. Testing in parking area.** Notwithstanding section 530, a  
44 certified inspection mechanic who has a valid operator's license  
of any class may operate a motor vehicle in a parking area  
46 adjacent to an official inspection station for the purpose of  
testing equipment as required by the rules adopted pursuant to  
48 this chapter.'

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

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

**FISCAL NOTE**

The Department of Inland Fisheries and Wildlife may experience some minor administrative cost savings as a result of not being required to report accidents involving snowmobiles and all-terrain vehicles as motor vehicle accidents.'

**STATEMENT OF FACT**

This amendment would allow certified inspection mechanics to test drive vehicles in parking areas adjacent to an inspection station. The mechanic must have a valid operator's license but the license need not be for the class of vehicle being inspected. This amendment also makes technical changes to the provisions in section 3 and section 7 of the bill and adds a fiscal note to the bill. The amendment also makes necessary technical changes to conform existing law to current drafting standards.