

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

SECOND REGULAR SESSION-1994

Legislative Document

No. 1608

H.P. 1200

House of Representatives, January 3, 1994

An Act to Amend the Motor Vehicle Laws.

Submitted by the Department of Public Safety pursuant to Joint Rule 24.

Received by the Clerk of the House on December 29, 1993. Referred to the Committee on Transportation and 1200 ordered printed pursuant to Joint Rule 14.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative BAILEY of Farmington.

Cosponsored by Representatives: HUSSEY of Milo, O'GARA of Westbrook, STROUT of Corinth, Senator: GOULD of Waldo.

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

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

6

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, or the owner of the vehicle having knowledge of the accident should the operator of same be 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 the accident occurred, or to the office of the police department, or to an officer, of the municipality wherein 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 the accident occurred or the office of the police department of the municipality wherein the accident occurred shall be deemed prima facie evidence of a violation of this section. Any person failing to comply with the requirements of this paragraph shall be guilty of a misdemeanor. Every such notice received by any such official or department shall be promptly investigated. If the accident results in serious bodily injury or death of any person, the investigation shall be conducted by an officer who has met the training standards of a full-time police officer.

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Sec. 2. 29 MRSA §891, 7th ¶, as amended by PL 1987, c. 46, §4,
34 is further amended to read:

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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 injury to or death of any person or property damage to the apparent amount of \$500 or more, or some person acting for him, shall, within 48 hours after the accident, make a written report of it to the Secretary of State, on forms provided by the Secretary of State. The Secretary of State may require drivers of vehicles involved in any such accident to file supplemental reports whenever the original report is insufficient in the opinion of the Secretary of State.

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2 **Sec. 3. 29 MRSA §946-C, sub-§2, ¶C**, as amended by PL 1991, c.
694, §2, is further amended by adding a new subparagraph to read:

4 (6) A vehicle used or provided by a contract security
6 company to assist in traffic control and direction at
 construction or maintenance sites on a public way may
8 only be equipped with auxiliary lights that emit an
 amber light.

10 **Sec. 4. 29 MRSA §1072**, as amended by PL 1993, c. 76, §1, is
further amended to read:

12 **§1072. Dimming of lights on approaching vehicles**

14 Whenever the driver of a vehicle equipped with multiple-beam
16 road lighting equipment, during the times when lighted lamps are
 required and at other times when they are lighted, approaches an
18 oncoming vehicle within 500 feet, or follows a vehicle within 300
 feet, the driver shall dim the headlights or switch to a low beam
20 and turn off any fog or auxiliary light allowed by section 1367-B
 946-C, subsection 1 2, paragraph E that exceeds 20,000
22 candlepower.

24 **Sec. 5. 29 MRSA §1366, 2nd ¶**, as amended by PL 1991, c. 21,
§2, is further amended to read:

26 Every headlamp, upon every motor vehicle, including every
28 motorcycle and motor driven cycle, must be located at a height
 measured from the center of the headlamp of not more than 54
30 inches nor less than 22 inches above the level surface upon which
 the vehicle stands. Headlamps on snow plows may be located at a
32 height greater than 54 inches above the level surface. All
 headlamps must be equipped with lenses or reflectors that emit
34 only a white beam of light. The lamps and lights must conform to
 and operate in accordance with section 1071 and the rules adopted
36 from time to time by the ~~Commissioner of Public Safety~~ Chief of
 the State Police.

38 **Sec. 6. 29 MRSA §1366, 3rd ¶**, as amended by PL 1971, c. 360,
40 §34, is further amended to read:

42 Every motor vehicle other than a motorcycle or motor driven
 cycle, shall have mounted on the front thereof at least 2
44 headlamps with at least one on each side. Every motorcycle and
 every motor driven cycle shall have mounted on the front thereof
46 at least one lamp. If any such vehicle is so mechanically
 constructed, governed or controlled that it cannot exceed a speed
48 of 15 miles per hour, it shall have front lamps capable of
 furnishing light of sufficient candle power to render any

2 substantial object clearly discernible on a level way at least 50
3 feet directly ahead and at the same time at least 7 feet to the
4 right of the axis of such vehicle for a distance of at least 25
5 feet. If said vehicles can exceed a speed of 15 miles per hour,
6 then they shall have front lamps capable of furnishing light of
7 sufficient candle power to render any substantial object clearly
8 discernible on a level way at least 200 feet directly ahead and
9 at the same time at least 7 feet to the right of the axis of such
10 vehicle for a distance of at least 100 feet. No front lamp
11 capable of furnishing more than 4 candle power light shall be
12 used if equipped with a reflector, unless so designed, equipped
13 or mounted that no portion of the beam of light when projected 75
14 feet or more ahead of the lamps shall rise above a plane of 42
15 inches higher than and parallel with the level surface on which
16 the vehicle stands. At no time shall the top of any main beam of
17 light be higher than the headlight centers. No electric bulb or
18 other lighting device of a greater capacity than 32 candle power
19 shall be used, no matter how the same may be shaded, covered or
20 obscured, except the seal beam unit, so called, which is standard
21 headlight equipment for motor vehicles. For the purpose of
22 enforcing this section, it shall be deemed to be a violation if a
23 front light or front lights of a motor vehicle projects the top
24 of any main beam, at a distance of 25 feet ahead of the motor
25 vehicle, on an approximately level stretch of highway, onto the
26 body of a person or on a motor vehicle or any object, at a height
27 greater than the distance of the centers of the front lights from
28 the highway.

29 **Sec. 7. 29 MRSA §1366, 6th ¶,** as amended by PL 1971, c. 360,
30 §39, is further amended to read:

31 All lights, reflectors and signal lamps required by law to
32 be displayed on the rear of all vehicles of 7 feet or over in
33 width shall be at least within 12 inches of the extreme extension
34 of the rear of such vehicle, except that on flat-body dump trucks
35 of 7 feet or over in width such lights and signal lamps may be
36 displayed on the rear of the frame of the vehicle and on trailers
37 if the lights, reflectors and signal lamps are installed by the
38 commercial trailer manufacturer.

39 **Sec. 8. 29 MRSA §2189, sub-§3** is enacted to read:

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41 **3. Inspection.** A law enforcement officer in uniform whose
42 duty is to enforce motor vehicle laws may stop and examine a
43 motor vehicle for the purpose of ascertaining whether its
44 equipment complies with the requirements of this section.

45 **Sec. 9. 29 MRSA §2503, sub-§3,** as enacted by PL 1983, c. 370,
46 §6, is amended to read:

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2 4. Current law requires that motorcycles have one
headlight. This bill requires that motorcycles have at least one
headlight.

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6 5. It provides that rear lights on a trailer installed by
the manufacturer of the trailer may be more than 12 inches from
the rear of the trailer.

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10 6. It authorizes enforcement officers to stop any motor
vehicle for purposes of inspecting air pollution control systems.

12 7. It excludes street rods from the requirement that
vehicles be equipped with fenders.

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16 8. It authorizes a law enforcement officer who issues a
permit to move a motor vehicle to an inspection station to also
issue a permit for a trailer.

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20 9. It authorizes a fleet inspection station to inspect
trailers.

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26 This document has not yet been reviewed to determine the
need for cross-reference, stylistic and other technical
28 amendments to conform existing law to current drafting standards.