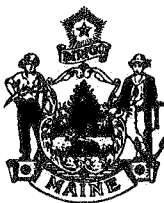


MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

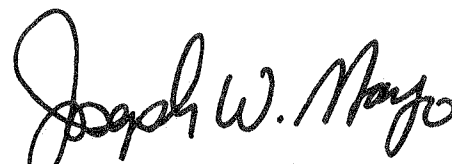
No. 909

H.P. 656

House of Representatives, February 6, 1997

**An Act to Establish Mandatory Drug and Alcohol Testing of Emergency
Vehicle Operators.**

Reference to the Committee on Labor suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative LOVETT of Scarborough.
Cosponsored by Senator PENDLETON of Cumberland and
Representatives: JOY of Crystal, JOYNER of Hollis, LABRECQUE of Gorham,
PENDLETON of Scarborough, SAVAGE of Union.

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

4 **Sec. 1. 29-A MRSA §1252, sub-§1, ¶C**, as affected by PL 1995,
c. 65, Pt. A, §153 and amended by Pt. B, §11 and affected by Pt.
6 C, §15, is further amended to read:

8 C. A Class C license may be issued for the operation of a
single vehicle or a combination of vehicles that does not
10 meet the definition of Class A or Class B license.

12 A holder of a Class C license may, with an appropriate
endorsement, operate all vehicles in that class.

14 A Class C license authorizes:

16 (1) A full-time or volunteer member of an organized
municipal, state or federal fire department to operate
18 fire apparatus with the endorsement required under
subsection 2-A;

20 (2) A person to operate recreational vehicles for
22 personal use;

24 (3) A person to operate military vehicles including
National Guard vehicles; or

26 (4) A person to operate registered farm motor trucks
28 bearing the letter "F" on the registration plate within
150 miles of the registered owner's farm.

30 **Sec. 2. 29-A MRSA §1252, sub-§2-A** is enacted to read:

32 2-A. Authorized emergency vehicles. Operation of an
34 authorized emergency vehicle requires a special endorsement on a
license. A person who is issued an endorsement for operating an
36 emergency vehicle is subject to alcohol and controlled substance
testing similar to the testing mandated by the federal Omnibus
38 Transportation Employee Testing Act of 1991, Public Law 102-143,
Title V. The employer of the operator is responsible for
40 testing that meets the requirements of the federal Omnibus
Transportation Employee Testing Act of 1991, Public Law 102-143,
42 Title V. Testing must be in accordance with Title 26, chapter 7,
subchapter III-A. For purposes of this section, "employer"
44 includes a fire department, a public or private agency providing
emergency medical services and any other agency that dispatches
46 employees or volunteers to respond to an emergency. For purposes
of this section, "authorized emergency vehicle" means any one of
48 the following vehicles:

50 A. An ambulance as defined in section 2054;

2 B. An emergency medical service vehicle as defined in
3 section 2054;

4
5 C. A sheriff's department, State Police or municipal police
6 department vehicle; and

7
8 D. A fire department vehicle.

10

SUMMARY

12

13 This bill requires an endorsement on a driver's license for
14 a person operating an authorized emergency vehicle. It requires
15 employers to have those operators tested for drug and alcohol use
16 in a manner similar to the testing required by federal law for
persons with commercial driver's licenses.