

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

SECOND REGULAR SESSION-1999

Legislative Document

No. 2312

S.P. 893

In Senate, December 27, 1999

An Act to Amend the Motor Vehicle Laws.

Submitted by the Department of Public Safety pursuant to Joint Rule 204.
Received by the Secretary of the Senate on December 27, 1999. Referred to the Committee on Transportation and ordered printed pursuant to Joint Rule 308.2

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

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator O'GARA of Cumberland.
Cosponsored by Representatives: LINDAHL of Northport, SAVAGE of Union, WHEELER of Eliot.

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

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4 **Sec. 1. 29-A MRSA §105, sub-§2**, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

6 **2. Scope of inspection.** A law enforcement officer who has
8 stopped a motor vehicle pursuant to subsection 1 may demand and
inspect the driver's license, certificate of registration,
10 permits, driver's record of duty status and medical examiner's
certificate as required by the rules adopted pursuant to section
12 555 and the identification numbers of the motor vehicle.

14 **Sec. 2. 29-A MRSA §351, sub-§3, ¶A**, as amended by PL 1995, c. 247, §1, is further amended to read:

16 A. An unregistered motor vehicle to be towed either by a
regular service wrecker or by the use of a towbar or tow
18 dolly; or

20 **Sec. 3. 29-A MRSA §2054, sub-§2, ¶C**, as affected by PL 1995,
c. 65, Pt. A, §153, amended by Pt. C, §6 and affected by §15, is
22 further amended by adding a new subparagraph (7) to read:

24 (7) A Department of Public Safety vehicle operated by
a motor carrier inspector may be equipped with
26 auxiliary lights that emit an amber light.

28 **Sec. 4. 29-A MRSA §2054, sub-§9** is enacted to read:

30 **9. Stationary authorized emergency vehicles.** The operator
of a vehicle passing a stationary authorized emergency vehicle
32 using an emergency light, with due regard to safety and traffic
conditions, shall yield the right-of-way by:

34 A. Passing in a lane not adjacent to that of the authorized
36 emergency vehicle, if possible; or

38 B. Operating the vehicle at a careful and prudent speed
reasonable for passing the authorized emergency vehicle
40 safely, if passing in a nonadjacent lane is impossible or
unsafe.

42 **Sec. 5. 29-A MRSA §2066, sub-§6** is enacted to read:

44 **6. Following authorized emergency vehicle.** In addition to
46 the prohibition in subsection 5, an operator may not follow
within 150 feet of an authorized emergency vehicle as defined in
48 section 2054, subsection 1, paragraph B that is using an
emergency light as defined in section 2054, subsection 1,
50 paragraph D.

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SUMMARY

This bill affects the motor vehicle statutes as follows.

1. It authorizes a law enforcement officer who has stopped a vehicle for another violation to demand and inspect the operator's record of duty status and medical examiner's certificate if the operator is required to have those documents.

2. It allows a permit to be issued by a law enforcement agency to tow an unregistered vehicle using a tow dolly. Currently, a permit can be issued to tow by use of a service wrecker or tow bar.

3. It allows Department of Public Safety vehicles operated by motor carrier inspectors to be equipped with amber auxiliary lights.

4. It requires an operator passing a stationary authorized emergency vehicle that is using an emergency light to yield the right-of-way to that emergency vehicle by changing lanes, if possible, or passing at a careful and prudent speed.

5. It prohibits an operator from following within 150 feet of an authorized emergency vehicle that is using an emergency light.