

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

DATE: 5-7-01

(Filing No. H-355)

TRANSPORTATION

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1223, L.D. 1664, Bill, "An Act to Amend Certain Motor Vehicle Laws"

Amend the bill by striking out all of section 2 and inserting in its place the following:

'Sec. 2. 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:

2. Scope of inspection. A law enforcement officer who has stopped a motor vehicle pursuant to subsection 1 may demand and inspect the driver's license, certificate of registration, permits and the identification numbers of the motor vehicle. A state police officer who is trained pursuant to the motor carrier safety rules of the motor carrier safety regulations of the United States Department of Transportation may demand and inspect the driver's record of duty status and medical examiner's certificate, if applicable.'

Further amend the bill by striking out all of section 8 and inserting in its place the following:

'Sec. 8. 29-A MRSA §2063, as amended by PL 1995, c. 371, §1, is further amended to read:

§2063. Bicycles, toy vehicles and scooters

1. Definitions. For the purpose of this section, "bicycle" includes a motorized bicycle or a motorized tricycle, "scooter"

2 includes a motorized scooter and "toy vehicle" includes, but is
not limited to, skateboards, rollerskates, wagons, sleds and
coasters.

4
6 **2. Riding to the right.** A person operating a bicycle or
scooter shall ride it as far as practicable to the right side of
8 the way, except when making a left turn. This subsection does
not apply in a municipality that, by ordinance and with the
10 approval of the Department of Public Safety and the Department of
Transportation, makes other provisions for the location of
bicycle or scooter traffic.

12
14 **3. Seating.** A person operating a bicycle may not ride
other than astride a regular and permanently attached seat. A
16 bicycle may not be used to carry more persons than the number for
which it is designed and equipped.

18 **4. Hitching rides.** A person riding on a bicycle, scooter
20 or toy vehicle may not attach it to a moving vehicle on a way.

22 **5. Rights and duties.** A person riding a bicycle or scooter
on a way has the rights and is subject to the duties applicable
24 to the operator of a vehicle, except as to:

26 A. Special regulations; and

28 B. Provisions in this Title that by their nature can have
no application.

30 **6. Speed.** A motorized bicycle or motorized scooter may not
be operated in excess of 20 miles per hour.

32
34 **7. Penalties.** A person 17 years of age or over who
violates this section commits a traffic infraction ~~with-a-maximum~~
36 fine--of for which a forfeiture of no more than \$10 may be
adjudged.

38 **8. Impoundment.** The chief of police of a municipality, or
if there is no chief of police, the chair of the local
40 legislative body, when satisfied that a juvenile under the age of
17 years has ridden a bicycle or scooter in violation of this
42 section, may impound the bicycle or scooter for a period not to
exceed 5 days for the first offense, 10 days for a 2nd offense
44 and 30 days for a subsequent offense.'

46 Further amend the bill by inserting at the end before the
summary the following:

FISCAL NOTE

2

The additional enforcement costs can be absorbed by the Department of Public Safety utilizing existing budgeted resources.

4

6

This bill may increase prosecutions for Class E crimes. If a jail sentence is imposed, the additional costs to the counties are estimated to be \$83.36 per day per prisoner. The number of prosecutions that may result in a jail sentence and the resulting costs to the county jail system are expected to be insignificant.

8

10

12

The additional workload and administrative costs associated with the minimal number of new cases filed in the court system can be absorbed within the budgeted resources of the Judicial Department. The collection of additional fines may increase General Fund revenue by minor amounts.'

14

16

18

SUMMARY

20

This amendment clarifies that a state police officer who is trained pursuant to the motor carrier safety rules of the motor carrier safety regulations of the United States Department of Transportation may demand and inspect the driver's record of duty status and medical examiner's certificate, if applicable. The amendment also imposes additional restrictions on motorized scooters. It also adds a fiscal note to the bill.

22

24

26

28