

# MAINE STATE LEGISLATURE

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# 120th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2001

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Legislative Document

No. 1664

H.P. 1223

House of Representatives, March 15, 2001

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### An Act to Amend Certain Motor Vehicle Laws.

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Submitted by the Department of Public Safety pursuant to Joint Rule 204.  
Reference to the Committee on Transportation suggested and ordered printed.

*Millicent M. MacFarland*

MILLICENT M. MacFARLAND, Clerk

Presented by Representative FISHER of Brewer.  
Cosponsored by Senator SAVAGE of Knox and  
Representative McKENNEY of Cumberland.

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

4 **Sec. 1. 29-A MRSA §101, sub-§64-A** is enacted to read:

6 **64-A. Scooter.** "Scooter" means a device upon which a  
7 person may ride consisting of a footboard between 2 end wheels,  
8 controlled by an upright steering handle attached to the front  
9 wheel and that is propelled by human power or a motor.

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

12 **2. Scope of inspection.** A law enforcement officer who has  
13 stopped a motor vehicle pursuant to subsection 1 may demand and  
14 inspect the driver's license, certificate of registration,  
15 permits, driver's record of duty status and medical examiner's  
16 certificate, if applicable, and the identification numbers of the  
17 motor vehicle.

20 **Sec. 3. 29-A MRSA §351, sub-§3, ¶A,** as amended by PL 1995, c.  
21 247, §1, is further amended to read:

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

26 **Sec. 4. 29-A MRSA §2052, sub-§5,** as enacted by PL 1993, c.  
27 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

30 **5. Limiting use.** The Department of Transportation or a  
31 municipality, with respect to a way under that authority's  
32 jurisdiction, may prohibit the use of a way by pedestrians,  
33 bicycles or other nonmotorized traffic, scooters, motorized  
34 bicycles or tricycles, or motor-driven cycles.

35 On limiting the use, the authority shall erect and maintain  
36 official signs stating the prohibition. A person may not disobey  
37 the restrictions stated on those signs.

40 **Sec. 5. 29-A MRSA §2054, sub-§1, ¶B,** as amended by PL 1999, c.  
41 29, §2, is further amended by amending subparagraph (11) to read:

42 (11) A hazardous material response vehicle, including  
43 a vehicle designed to respond to a weapon of mass  
44 destruction;

46 **Sec. 6. 29-A MRSA §2054, sub-§2, ¶C,** as affected by PL 1995,  
47 c. 65, Pt. A, §153 and amended by Pt. C, §6 and affected by

2 §15, is further amended by enacting a new subparagraph (7) to  
read:

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

8 **Sec. 7. 29-A MRSA §2054, sub-§9** is enacted to read:

10 **9. Stationary authorized emergency vehicles.** The operator  
12 of a vehicle passing a stationary authorized emergency vehicle  
using an emergency light, with due regard to the safety and  
14 traffic conditions, shall:

16 A. Pass in a lane not adjacent to that of the authorized  
emergency vehicle, if possible; or

18 B. If passing in a nonadjacent lane is impossible or  
20 unsafe, pass the emergency vehicle at a careful and prudent  
speed reasonable for passing the authorized emergency  
22 vehicle safely.

24 **Sec. 8. 29-A MRSA §2063, sub-§§2, 4, 5, and 8,** as enacted by PL  
1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, are amended to  
read:

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

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

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

42 A. Special regulations; and

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

46 **8. Impoundment.** The chief of police of a municipality, or  
48 if there is no chief of police, the chair of the local  
legislative body, when satisfied that a juvenile under the age of  
50 17 years has ridden a bicycle or scooter in violation of this

2 section, may impound the bicycle or scooter for a period not to  
3 exceed 5 days for the first offense, 10 days for a 2nd offense  
4 and 30 days for a subsequent offense.

6 **Sec. 9. 29-A MRSA §2066, sub-§5**, as enacted by PL 1993, c.  
683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

8 **5. Following fire apparatus; other emergency vehicles.** An  
9 operator may not follow within 500 feet of fire apparatus  
10 traveling in response to a fire alarm or within 150 feet of any  
11 other authorized emergency vehicle as defined in section 2054,  
12 subsection 1, paragraph B that is using an emergency light as  
13 defined in section 2054, subsection 1, paragraph D.

14 **Sec. 10. 29-A MRSA §2067, sub-§3**, as enacted by PL 1993, c.  
15 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

17 **3. Parking or standing.** Unless a municipal ordinance  
18 specifically provides otherwise, a vehicle may not be parked or  
19 stand on or beside the left-hand side of a way during the times  
20 when lighted lamps are required in a manner that its lights  
21 project in the direction of oncoming traffic.

22 **Sec. 11. 29-A MRSA §2084**, as enacted by PL 1993, c. 683, Pt.  
23 A, §2 and affected by Pt. B, §5, is amended to read:

24 **§2084. Bicycles and scooters**

25 **1. Night equipment.** A bicycle, scooter or motorized  
26 bicycle or tricycle, when in use in the nighttime or at other  
27 times when motor vehicles are required to display headlights,  
28 must have:

29 A. Lighted a front light that emits a white light visible  
30 from a distance of at least 200 feet to the front;

31 B. A red reflector to the rear that is visible at least 200  
32 feet to the rear; and

33 C. Reflector strips on the pedals and handlebars.

34 **2. Brakes.** A bicycle, scooter or motorized bicycle or  
35 tricycle must be equipped with a brake sufficient to enable the  
36 operator to stop the vehicle or device within a reasonable  
37 distance.

38 **Sec. 12. 29-A MRSA §2088, sub-§2, ¶¶C and D**, as reallocated by  
39 RR 1999, c. 1, §41, are amended to read:

40 C. Participants in parades; e

2 D. A passenger secured by a seat belt in a  
4 manufacturer-installed seat located outside the passenger  
compartment.; or

6 **Sec. 13. 29-A MRSA §2088, sub-§2, ¶E** is enacted to read:

8 E. Campers and hikers being transported in Baxter State  
10 Park.

12 **Sec. 14. 29-A MRSA §2251, sub-§8**, as enacted by PL 1993, c.  
683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

14 **8. Violation.** A person commits a Class E crime if that  
16 person:

18 A. Is required to make an oral or written report and  
knowingly fails to do so within the time required; ~~or~~

20 B. Is an operator involved in a reportable accident and  
22 knowingly fails to give a correct name and address when  
requested by an officer at the scene.; or

24 C. Is the operator involved in a reportable accident or the  
26 owner of a vehicle involved in a reportable accident and  
knowingly fails to produce the vehicle or, if the vehicle is  
operational, return it to the scene when requested by the  
28 investigating officer.

30 **Sec. 15. 29-A MRSA §2396, sub-§3**, as enacted by PL 1993, c.  
32 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

34 **3. Gravel.** A load of gravel, sand, crushed stone, rubbish,  
weed-chips, building debris or trash must be covered or otherwise  
36 secured or confined to prevent any portion of the load from  
falling from or spilling out of the vehicle.

38

## SUMMARY

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The bill affects the motor vehicle statutes as follows.

42

44 1. It defines scooter and imposes the same restrictions on  
this mode of transportation as on bicycles.

46

48 2. 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 this information.

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

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

10 5. It allows vehicles designed to respond to a weapon of  
12 mass destruction to use a siren and to display and use a red  
light or combination red and white light.

14 6. It requires an operator passing a stationary authorized  
16 emergency vehicle that is using an emergency light to pass that  
emergency vehicle in a nonadjacent lane, if possible, or at a  
careful and prudent speed.

18 7. It prohibits an operator from following within 150 feet  
20 of an authorized emergency vehicle, other than fire apparatus,  
that is using an emergency light.

22 8. It prohibits a vehicle from standing beside the  
24 left-hand side of a way at night in a manner so that its  
headlights project in the direction of oncoming traffic.

26 9. It creates an exemption to the prohibition against  
28 riding in the back of a pickup truck for campers and hikers being  
transported in Baxter State Park.

30 10. It requires the operator or the owner of a vehicle  
32 involved in a reportable accident to produce the vehicle and  
return the vehicle to the scene of an accident, if possible, at  
34 the request of the officer who is investigating the accident.

36 11. It resolves an inconsistency regarding confining a load  
38 of wood chips when the wood chips are transported.