

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 837

H.P. 614

House of Representatives, February 20, 2003

An Act To Require Motorists To Use Caution When Approaching a Safety Zone

Reference to the Committee on Transportation suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative BULL of Freeport.
Cosponsored by Senator DAMON of Hancock and
Representatives: ANDREWS of York, DUPLESSIE of Westbrook, McNEIL of Rockland,
RINES of Wiscasset, USHER of Westbrook, Senator: STRIMLING of Cumberland.

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

2 Sec. 1. 29-A MRSA §2054, sub-§9, as enacted by PL 2001, c.
4 360, §8, is repealed.

6 Sec. 2. 29-A MRSA §2054, sub-§10 is enacted to read:

8 10. Stationary authorized emergency vehicles. The
10 following provisions govern the operator of a vehicle approaching
12 or passing a stationary authorized emergency vehicle that is
14 using an emergency light.

16 A. With due regard to the safety and traffic conditions, an
18 operator of a vehicle approaching or passing a stationary
20 authorized emergency vehicle that is using an emergency
22 light shall:

24 (1) Reduce speed and maintain a speed throughout the
26 incident area no greater than is reasonable and prudent
28 under the conditions, including actual and potential
30 hazards then existing;

32 (2) Vacate any lane wholly or partially blocked;

34 (3) Obey the directions of an authorized official
36 directing traffic and all applicable traffic control
38 devices; and

40 (4) Pass in a lane not adjacent to that of the
42 emergency vehicle, if possible, or, if passing in a
44 nonadjacent lane is impossible or unsafe, pass the
46 emergency vehicle at a reasonable and prudent speed.

48 B. The following penalties apply to violations of this
subsection.

(1) A person who violates this subsection commits a
Class E crime.

(2) A person who violates this subsection and at the
time of the offense has a prior conviction for
violating this subsection commits a Class E crime and
is subject to a mandatory 30-day driver's license
suspension. Title 17-A, section 9-A governs the use of
prior convictions in determining a sentence, except
that for purposes of this subparagraph, the date of
each prior conviction may precede the commission of the
offense being enhanced by no more than 3 years.

2 C. Paragraphs A and B do not apply to authorized emergency
3 vehicles in an incident area. Operators of emergency
4 vehicles in an incident area shall proceed at a reasonable
5 and prudent speed, with due regard to the safety of all
6 persons in the incident area.

7 In addition to any other penalty imposed by law, if a violation
8 of this subsection results in serious bodily injury or death to
9 another person, the violator's driver's license must be suspended
10 for at least 180 days and not more than 2 years.

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SUMMARY

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15 This bill adds to the safety requirements governing drivers
16 approaching or passing a stationary authorized emergency vehicle
17 that is using an emergency light and increases the penalties for
18 violation. The bill also clarifies that an authorized emergency
19 vehicle must exercise due regard to the safety of others but is
20 exempted from the other operator requirements of the new
 provision.