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Legislative Document

No. 862

H.P. 593

House of Representatives, March 5, 2009

An Act To Improve the Health of Maine Citizens and Safety of Pedestrians

Reference to the Committee on Transportation suggested and ordered printed.

Milluent M. Mac Jailand

MILLICENT M. MacFARLAND Clerk

Presented by Representative HARLOW of Portland. Cosponsored by Senator GOOLEY of Franklin and Representatives: BRIGGS of Mexico, DAVIS of Sangerville, GOODE of Bangor, MARTIN of Orono, MORRISON of South Portland, SCHATZ of Blue Hill, STUCKEY of Portland, WILLETTE of Presque Isle. Be it enacted by the People of the State of Maine as follows:

Sec. 1. 29-A MRSA §2056, sub-§2, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

2. Pedestrian on way. Where sidewalks are not provided, a pedestrian shall walk facing approaching traffic on the left side of the public way or the way's shoulder when practicable. An operator of a motor vehicle who is passing a pedestrian on a public way or the way's shoulder shall exercise due care by leaving a distance between the motor vehicle and the pedestrian of not less than 3 feet while the motor vehicle is passing the pedestrian. A motor vehicle operator may pass a pedestrian in a no-passing zone only when it is safe to do so.

SUMMARY

This bill requires the operator of a motor vehicle, when passing a pedestrian on a public way, to provide that pedestrian with at least 3 feet of clearance and allows the operator to pass the pedestrian when it is safe to do so, even in a no-passing zone. This bill is based on the current law regarding the requirements for passing a bicycle on a public way.