

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)

SINCE
ROE'S

L.D. 788

1
2 Date: 5/19/15

(Filing No. H- 171)

3 **TRANSPORTATION**

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

5 **STATE OF MAINE**
6 **HOUSE OF REPRESENTATIVES**
7 **127TH LEGISLATURE**
8 **FIRST REGULAR SESSION**

9 COMMITTEE AMENDMENT "A" to H.P. 537, L.D. 788, Bill, "An Act To
10 Improve the Health of Maine Citizens and Safety of Pedestrians"

11 Amend the bill in section 1 in subsection 2 by striking out all of the blocked
12 paragraph (page 1, lines 11 and 12 in L.D.) and inserting the following:

13 'If a motor vehicle strikes a pedestrian and that pedestrian is complying with the duties
14 required of that pedestrian as specified in this section, it is prima facie evidence of a
15 violation of this subsection by the operator of that motor vehicle.'

16 Amend the bill by inserting after section 1 the following:

17 **'Sec. 2. 29-A MRSA §2070, sub-§1-A,** as amended by PL 2013, c. 241, §5, is
18 further amended to read:

19 **1-A. Passing bicycle or roller skier.** An operator of a motor vehicle that is passing
20 a bicycle or roller skier proceeding in the same direction shall exercise due care by
21 leaving a distance between the motor vehicle and the bicycle or roller skier of not less
22 than 3 feet while the motor vehicle is passing the bicycle or roller skier. A motor vehicle
23 operator may pass a bicycle or roller skier traveling in the same direction in a no-passing
24 zone only when it is safe to do so.

25 ~~The collision of a motor vehicle with a person operating a bicycle or roller skis is prima~~
26 ~~facie evidence of a violation of this subsection. If a motor vehicle strikes a person~~
27 ~~operating a bicycle or roller skis and the person operating a bicycle or roller skis is~~
28 ~~complying with the duties required of a person operating a bicycle or roller skis as~~
29 ~~specified in this Title, it is prima facie evidence of a violation of this subsection by the~~
30 ~~operator of the motor vehicle.'~~

31 **SUMMARY**

32 This amendment clarifies that if a motorist strikes a person operating a bicycle or
33 roller skis and that person operating a bicycle or roller skis is complying with the duties
34 imposed on a bicyclist or roller skier as specified in the Maine Revised Statutes, Title

COMMITTEE AMENDMENT

R.O.F.S

1 29-A, it is prima facie evidence of a violation of the 3-foot requirement in current law by
2 the operator of the motor vehicle.

3 The amendment also provides that if a motorist strikes a pedestrian and that
4 pedestrian is complying with the duties required of a pedestrian as specified in Title
5 29-A, section 2056, it is prima facie evidence of a violation of the 3-foot requirement in
6 current law by the operator of the motor vehicle.

7 The bill provides that a collision between a motor vehicle and a pedestrian is prima
8 facie evidence of a violation of the 3-foot requirement by the operator of the motor
9 vehicle.

COMMITTEE AMENDMENT