

MAINE STATE LEGISLATURE

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SMS
ROFS

L.D. 1301

Date: 6/3/15

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TRANSPORTATION

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STATE OF MAINE

SENATE

127TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 466, L.D. 1301, Bill, "An Act To Improve the Safety of Vulnerable Users in Traffic and To Clarify the Responsibilities of Bicyclists and Pedestrians"

Amend the bill in section 1 in subsection 91-A in the first line (page 1, line 3 in L.D.) by inserting after the following: "means" the following: 'a person on a public way who is more vulnerable to injury than a person in an automobile, truck or other similar motor vehicle and includes, but is not limited to'

Amend the bill in section 1 in subsection 91-A in paragraph C in the first line (page 1, line 7 in L.D.) by inserting after the following: "way;" the following: 'or'

Amend the bill in section 1 in subsection 91-A in paragraph D by striking out all of subparagraph (9) (page 1, line 20 in L.D.)

Amend the bill in section 1 in subsection 91-A in paragraph D in subparagraph (14) (page 1, line 25 in L.D.) by striking out the following: "skis; or" and inserting the following: 'skis.'

Amend the bill in section 1 in subsection 91-A in paragraph D by renumbering the subparagraphs to read consecutively.

Amend the bill in section 1 in subsection 91-A by striking out all of paragraph E (page 1, lines 26 and 27 in L.D.)

Amend the bill in section 2 by striking out all of subsection 4 (page 1, lines 30 to 33 and page 2, lines 1 to 3 in L.D.) and inserting the following:

4. Requirements. A driver education course approved under this subchapter must include instruction that imparts the understanding and skills necessary to operate a motor vehicle safely in a situation in which a motorcycle or vulnerable user is sharing the road with that motor vehicle.'

Amend the bill by striking out all of sections 3 to 6 and inserting the following:

'Sec. 3. 29-A MRSA §2056, sub-§4, as amended by PL 1999, c. 101, §1, is further amended to read:

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1 **4. Pedestrians in marked crosswalks.** When traffic-control devices are not in
2 operation, an operator must yield the right-of-way to a pedestrian who is crossing within
3 a marked crosswalk or to a pedestrian who has shown visible intent to enter the marked
4 crosswalk.'

5 Amend the bill by striking out all of sections 9 and 10 (page 3, lines 24 to 37 and
6 page 4, lines 1 and 2 in L.D.)

7 Amend the bill in section 11 by striking out all of subsection 7 (page 4, lines 5 to 9 in
8 L.D.) and inserting the following:

9 **'7. Penalties.** A person 17 years of age or over who violates ~~this section~~ subsection
10 2, 3, 3-A, 4, 6, 9, 10, 11, 12 or 13 commits a traffic infraction for which a fine of not less
11 than \$25 and not more than \$250 may be adjudged. A person under 17 years of age is not
12 subject to a fine under this section.'

13 Amend the bill by striking out all of sections 12 and 13 and inserting the following:

14 **'Sec. 12. 29-A MRSA §2063, sub-§§10 to 13** are enacted to read:

15 **10. Duty to yield.** A bicyclist, roller skier or other nonmotorized traffic must yield
16 the right-of-way to a pedestrian crossing the way in a marked crosswalk who is
17 proceeding in accordance with a traffic-control device as provided in section 2057 or who
18 is proceeding without a traffic-control device in operation. For purposes of this
19 subsection, "yield the right-of-way" means to slow or stop to avoid colliding with or
20 causing other harm to a pedestrian.

21 **11. Traffic-control devices.** A person operating a bicycle or roller skis shall obey a
22 traffic-control device, unless otherwise directed by a law enforcement officer. A traffic-
23 control device conforming to the requirements for these devices is presumed to comply
24 with this chapter.

25 **12. Stop signs.** Unless directed to proceed by a law enforcement officer or traffic-
26 control device, a person operating a bicycle or roller skis approaching a stop sign shall
27 stop and:

28 A. Yield the right-of-way to a vehicle that has entered the intersection or that is
29 approaching so closely as to constitute an immediate hazard; and

30 B. Having yielded, a person operating a bicycle or roller skis may proceed. All other
31 operators approaching the intersection shall yield the right-of-way to the person
32 operating a bicycle or roller skis so proceeding.

33 **13. One-way road.** On a public way posted for one-way traffic, unless directed to
34 proceed by a law enforcement officer or traffic-control device, a bicycle may be ridden
35 only in the direction designated.'

36 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
37 section number to read consecutively.

38 **SUMMARY**

39 This amendment is the majority report of the Joint Standing Committee on
40 Transportation. The amendment does the following.

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COMMITTEE AMENDMENT "A" to S.P. 466, L.D. 1301

- 1 1. It changes the definition of "vulnerable user" in the bill to remove motorcycles and
2 to clarify that "vulnerable user" includes persons who are more vulnerable to injury than
3 those in an automobile, truck or similar motor vehicle.
- 4 2. Like the bill, it requires that driver education courses include instruction regarding
5 sharing the road with a vulnerable user, but the amendment eliminates the requirement in
6 the bill that instruction include at least 30 minutes.
- 7 3. It strikes from the bill the provisions regarding pedestrians in crosswalks and
8 instead adds new language to existing statute to specify that operators must yield the
9 right-of-way to pedestrians who have shown visible intent to enter the marked crosswalk.
- 10 4. It retains provisions in the bill regarding responsibilities of bicyclists that are like
11 responsibilities of motor vehicle operators but consolidates most of these provisions in
12 the Maine Revised Statutes, Title 29-A, section 2063, which addresses the rights and
13 duties of bicyclists.
- 14 5. It strikes all proposed new prohibitions and penalties regarding vulnerable users,
15 as the conduct and penalties are covered by current law in Titles 17-A and 29-A.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



Approved: 05/29/15 *MAC*

127th MAINE LEGISLATURE

LD 1301

LR 1066(02)

An Act To Improve the Safety of Vulnerable Users in Traffic and To Clarify the Responsibilities of Bicyclists and Pedestrians

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-177)

Committee: Transportation

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund
Minor revenue decrease - General Fund

Correctional and Judicial Impact Statements

Increases the number of traffic infractions.

The collection of additional fines may also increase General Fund revenue by minor amounts.