MAINE STATE LEGISLATURE

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2	Date: 5/11/17	

L.D. 785

(Filing No. H	-159)
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3	TRANSPORTATION
4	Reproduced and distributed under the direction of the Clerk of the House,
5	STATE OF MAINE
6	HOUSE OF REPRESENTATIVES
7	128TH LEGISLATURE
8	FIRST REGULAR SESSION
9 10 11 12	COMMITTEE AMENDMENT " A" to H.P. 565, L.D. 785, Bill, "An Act To Improve Safety and Traffic Efficiency near School Grounds" Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:
13	'Sec. 1. 29-A MRSA §2091-A is enacted to read:
14	v
15 16	§2091-A. School crossing guards 1. Qualifications. A school crossing guard is qualified to direct traffic if the school crossing guard:
17	A. Is 18 years of age or older;
18	B. Is under the control of a local law enforcement agency;
19 20 21 22 23	C. Has completed training approved by the Department of Labor, Bureau of Labor Standards in controlling traffic on a public way and as described by section 2091, subsection 2 to perform any traffic direction duties to which the school crossing guard is assigned as prescribed by the local law enforcement agency that has control over the school crossing guard;
24 25	D. Is wearing an appropriate uniform as specified by the local law enforcement agency that has control over the school crossing guard; and
26	E. Is directing traffic in an intersection with a marked crosswalk on a public way.
27 28 29	2. Obeying school crossing guards. An operator of a motor vehicle shall obey a hand signal or handheld traffic control device of a school crossing guard qualified under subsection 1. A violation of this subsection is a traffic infraction.
30 31 32 33	3. Assisting pedestrians. This section does not prohibit a school crossing guard who does not meet the specifications described in subsection 1 from assisting a pedestrian to cross a public way, as long as the school crossing guard does not attempt to do so by directing traffic.

Page 1 - 128LR0972(02)-1

4. Restrictions. A school crossing guard may not contradict or override a lighted traffic control device or pedestrian control device or cause a pedestrian or motor vehicle to violate the provisions of section 2057.

SUMMARY

This amendment clarifies that failure to obey a school crossing guard is a traffic infraction. The amendment provides that school crossing guards are under the control of a local law enforcement agency only and not a school administrative unit. The amendment specifies that a school crossing guard must complete training approved by the Department of Labor, Bureau of Labor Standards in order to control traffic on a public way. The amendment also provides that a school crossing guard may direct traffic only in an intersection with a marked crosswalk on a public way. Finally, the amendment provides that a school crossing guard may not contradict or override a lighted traffic control device or pedestrian control device.

FISCAL NOTE REQUIRED (See attached)

Page 2 - 128LR0972(02)-1



128th MAINE LEGISLATURE

LD 785

LR 972(02)

An Act To Improve Safety and Traffic Efficiency near School Grounds

Fiscal Note for Bill as Amended by Committee Amendment 'A' (H-159)

Committee: Transportation

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund Minor revenue increase - 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.