

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 980

S.P. 399

In Senate, March 2, 2023

An Act Regarding Disabled Motor Vehicles on Public Ways

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator BALDACCI of Penobscot.

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

2 **Sec. 1. 29-A MRSA §2093** is enacted to read:

3 **§2093. Disabled motor vehicles**

4 **1. Disabled motor vehicle.** The operator of a motor vehicle that is disabled on a public
5 way due to a malfunction of the motor vehicle shall activate the motor vehicle's hazard
6 lights and, if available, place one or more external warning devices, including a warning
7 triangle or flare, in position to alert an approaching motor vehicle.

8 **2. Passing a disabled motor vehicle.** The operator of a motor vehicle passing a
9 disabled motor vehicle under subsection 1, with due regard to the safety and traffic
10 conditions, shall:

11 A. Pass in a lane not adjacent to that of the disabled motor vehicle, if possible; or

12 B. If passing in a nonadjacent lane is impossible or unsafe, pass the disabled motor
13 vehicle at a careful and prudent speed reasonable for passing the disabled motor vehicle
14 safely.

15 **3. Violation.** A violation of subsection 2 is a traffic infraction for which a minimum
16 fine of \$275 must be adjudged.

17 **SUMMARY**

18 This bill requires the operator of a disabled motor vehicle on a public way to activate
19 the motor vehicle's hazard lights and place warning devices such as a warning triangle or
20 flares, if available, in a position to alert approaching motor vehicles. The bill also requires
21 an operator of a motor vehicle to pass a disabled motor vehicle in a lane not adjacent to the
22 disabled motor vehicle or, if not possible or safe to pass in that nonadjacent lane, to pass
23 the disabled motor vehicle safely at a careful and prudent speed.