

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2023

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Legislative Document

No. 1796

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S.P. 721

In Senate, April 25, 2023

### An Act to Protect Maine's Transit Employees

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Reference to the Committee on Criminal Justice and Public Safety 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 President JACKSON of Aroostook.  
Cosponsored by Representative MALON of Biddeford and  
Senators: BEEBE-CENTER of Knox, CHIPMAN of Cumberland, LaFOUNTAIN of  
Kennebec.

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

2 **Sec. 1. 17-A MRSA §752-F** is enacted to read:

3 **§752-F. Assault on a transit employee**

4 **1. As used in this section, unless the context otherwise indicates, the following terms**  
5 **have the following meanings.**

6 **A. "Assault" means intentionally, knowingly or recklessly causing bodily injury or**  
7 **offensive physical contact to another person, including expectorating or flinging a**  
8 **bodily substance or other fluid at or onto another person.**

9 **B. "Bodily substance" means a human secretion, discharge or emission, including, but**  
10 **not limited to, blood, saliva, mucus, semen, urine or feces.**

11 **C. "Transit employee" means an employee of a transit district as defined in Title 30-A,**  
12 **section 3501, subsection 1.**

13 **2. A person is guilty of assault on a transit employee if that person assaults a transit**  
14 **employee while the transit employee is performing official duties.**

15 **3. Assault on a transit employee is a Class C crime.**

16 **Sec. 2. 30-A MRSA §3520** is enacted to read:

17 **§3520. Protection of transit employees**

18 **1. Posting of signs.** A transit district shall post signs in conspicuous places in all transit  
19 **district facilities accessible to the public, including a building, terminal, kiosk, shelter or**  
20 **passenger rail, ferry, bus, bicycle or pedestrian facility, informing the public of the penalties**  
21 **for assaulting a transit employee under Title 17-A, section 752-F.**

22 **2. De-escalation training.** All employees of a transit district must receive de-  
23 **escalation training upon commencement of employment with the transit district and at least**  
24 **once annually thereafter. The transit district shall jointly approve the de-escalation training**  
25 **curriculum with the labor organization representing a plurality of the employees of the**  
26 **transit district, except that if the transit district is party to a joint labor-management safety**  
27 **committee, the committee shall approve the curriculum. For purposes of this subsection,**  
28 **"de-escalation" means the reduction of violent or disruptive behavior and resolution and**  
29 **minimization of conflict through verbal engagement and calming techniques.**

30 **SUMMARY**

31 This bill makes assault on a transit employee a Class C crime, including expectorating  
32 or flinging bodily substances or other fluids on or at a transit worker, and requires transit  
33 districts to post in conspicuous places in all transit district facilities, including buildings,  
34 terminals, kiosks, shelters and passenger rail, ferry, bus, bicycle and pedestrian facilities,  
35 informing the public of the penalties for assaulting a transit employee. This bill also  
36 requires transit employees to receive de-escalation training annually jointly approved by  
37 the labor organization representing a plurality of the transit district employees or a joint  
38 labor-management safety committee if it exists.