

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**  
AS PASSED BY THE

**ONE HUNDRED AND TENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
December 3, 1980 to June 19, 1981

**AND AT THE**

**FIRST SPECIAL SESSION**  
August 3, 1981

**PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN  
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED, TITLE  
3, SECTION 164, SUBSECTION 6.**

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION

of the  
ONE HUNDRED AND TENTH LEGISLATURE

1981

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Whereas, if these laws take effect on different dates, Maine creditors will be put to considerable needless expense and effort; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1.** 10 MRSA § 1124, first ¶, as enacted by PL 1979, c. 483, is amended to read:

After ~~July 4, 1981~~ **April 1, 1982**, every agreement shall be:

**Sec. 2.** 10 MRSA § 1126, sub-§ 1, 2nd sentence, as enacted by PL 1979, c. 483, is amended to read:

Before ~~July 4, 1981~~ **April 1, 1982**, within 60 days, and after ~~July 4, 1981~~ **April 1, 1982**, within 45 days, the bureau shall either certify the form as complying with the requirements of section 1124, or refuse to certify the form as complying, setting forth written reasons for its refusal.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective May 11, 1981

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## CHAPTER 237

H. P. 786 — L. D. 931

**AN ACT to Require Trucks Carrying Explosive Material to Come to a Complete Stop Before Crossing Railroad Tracks.**

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

29 MRSA § 998-A is enacted to read:

§ 998-A. Trucks transporting explosives

The operator of a motor truck, trailer or semitrailer which is transporting a hazardous material, as defined in Title 25, section 2102, subsection 3, or the United

States Hazardous Materials Transportation Act, 49 United States Code, Section 1801, et seq. and regulations issued under those sections, shall come to a full stop before crossing any unattended or unautomated railroad grade crossing. The stop is to be made at a point not more than 50 feet nor less than 10 feet from the nearest rail. The operator shall take steps necessary to ascertain beyond a reasonable doubt that no train, engine or conveyance is approaching the crossing before he may proceed to drive the vehicle over the crossing. The operator shall not proceed to the opposite side of the crossing until he believes there is ample room for the complete unit to clear the crossing.

A vehicle carrying a hazardous material shall display a sign which is clearly visible from a distance of not less than 100 feet behind the vehicle which states: "This vehicle stops at all railroad crossings."

The operator of a motor truck, trailer or semitrailer failing to so stop or to yield the right of way to any train, engine or conveyance on the track is guilty of a Class B crime.

Effective September 18, 1981

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## CHAPTER 238

S. P. 443 — L. D. 1281

### AN ACT to Amend Certain Aspects of Post-Conviction Review.

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

Sec. 1. 15 MRSA § 2121, sub-§ 2, as enacted by PL 1979, c. 701, § 15, is amended to read:

2. **Post-sentencing proceeding.** "Post-sentencing proceeding" means a court proceeding or administrative action occurring during the course of and pursuant to the operation of a sentence which affects whether there is incarceration or its length, including ~~revocation of probation~~ revocation of parole or entrustment of a juvenile, failure to grant parole or an error of law in the computation of a sentence. It does not include administrative disciplinary proceedings resulting in a loss of time deductions under Title 17-A, section 1253, subsection 5, **revocation of probation or proceedings before the Appellate Division of the Supreme Judicial Court pursuant to chapter 306.**

Sec. 2. 15 MRSA § 2125, as enacted by PL 1979, c. 701, § 15, is amended to read:

§ 2125. Ground for relief