

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

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PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

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ONE HUNDRED AND TENTH LEGISLATURE

1981

Bureau of Public Lands is authorized to convey to the Town of Bridgton by quitclaim deed all rights, title and interest of the State in the parcel of land situated in Bridgton which is described in public law, 1971, chapter 622, section 144. All revenues received by the Town of Bridgton from the sale of currently developed and leased portions of the parcel described in section 1 of this Act shall be held in a reserve fund for use by the town as follows: Principal of the fund for acquisition and development of other public lands of the town to provide for public access and use; and income of the fund for maintenance of park and recreational property of the town. The portion of the parcel described in section 1 of this Act, not currently developed and leased and not sold by the town under this Act, shall be retained by the town for public use.

Effective September 18, 1981

CHAPTER 344

H. P. 906 — L. D. 1073

AN ACT to Regulate Motorized Bicycles.

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

Sec. 1. 29 MRSA § 1, sub-§ 4, as amended by PL 1971, c. 575, § 1, is further amended by adding at the end a new sentence to read:

“Motorcycle” does not include a motorized bicycle or tricycle.

Sec. 2. 29 MRSA § 1, sub-§ 5 is amended to read:

5. **Motor driven cycle.** “Motor driven cycle” shall mean every motorcycle, including every motor scooter, with a motor which produces not to exceed 5 horsepower ~~and every bicycle with motor attached.~~ **“Motor driven cycle” does not include a motorized bicycle or tricycle.**

Sec. 3. 29 MRSA § 1, sub-§ 5-A, as enacted by PL 1977, c. 402, § 1, is amended by adding at the end a new sentence to read:

“Moped” does not include a motorized bicycle or tricycle.

Sec. 4. 29 MRSA § 1, sub-§ 5-B is enacted to read:

5-B. **Motorized bicycle or tricycle.** “Motorized bicycle or tricycle” means a bicycle or tricycle which may have pedals to permit muscular propulsion and a helper motor attached to the front wheel which is rated at no more than 1.5 brake horsepower, a cylinder capacity not exceeding 50 cubic centimeters and an automatic transmission.

Sec. 5. 29 MRSA § 530-A is enacted to read:

§ 530-A. Motorized bicycle or tricycle operator

A motorized bicycle or tricycle shall not be operated by any person who does not possess a valid operator's license of any class or learner's permit or who does not possess a license specially endorsed to operate a motorcycle, motor driven cycle or moped.

Sec. 6. 29 MRSA § 1961, as last amended by PL 1977, c. 402, § 5, is further amended to read:

§ 1961. Regulations

Every person ~~propelling~~ **operating** a bicycle ~~or a~~, moped, **motorized bicycle or motorized tricycle** shall ride ~~said the bicycle or~~, moped, **motorized bicycle or motorized tricycle** as far as practicable to the right side of the roadway at all times except when making a left turn. This paragraph shall not apply to municipalities which, by ordinance, and with the approval of the Department of Public Safety and the Department of Transportation, shall make other provisions for the location of bicycle ~~or~~, moped, **motorized bicycle or motorized tricycle** traffic.

A person ~~propelling~~ **operating** a bicycle ~~or~~, moped, **motorized bicycle or motorized tricycle** shall not ride other than astride a regular and permanent seat attached thereto. No bicycle ~~or~~, moped, **motorized bicycle or motorized tricycle** shall be used to carry more persons at one time than the number for which it is designed and equipped.

No person riding upon any bicycle, moped, coaster, roller skates, sled ~~or~~, toy vehicle, **motorized bicycle or motorized tricycle** shall attach the same or himself to any moving vehicle upon a way.

Every person riding a bicycle ~~or~~, moped, **motorized bicycle or motorized tricycle** upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this Title, except as to special regulations and except as to those provisions in this Title which by their nature can have no application.

A motorized bicycle or tricycle shall not be operated in excess of 20 miles an hour.

Sec. 7. 29 MRSA § 1962, as amended by PL 1973, c. 38, is further amended to read:

§ 1962. Equipment

Every bicycle, **motorized bicycle or tricycle** when in use in the nighttime or at other times when motor vehicles are required to display headlamps by section

1366 shall be equipped with and have lighted a lamp on the front which shall emit a white light visible from a distance of at least 200 feet to the front and a red reflector to the rear which shall be visible at least 200 feet to the rear. Bicycle, **motorized bicycle or tricycle** pedals shall bear reflector strips and bicycle, **motorized bicycle or tricycle** handlebars shall bear reflector tapes when in use in the nighttime or at other times when motor vehicles are required to display headlamps by section 1366. Every bicycle, **motorized bicycle or tricycle** shall be equipped with a brake which shall enable the operator to stop the bicycle, **motorized bicycle or tricycle** within a reasonable distance.

Sec. 8. 29 MRSA § 1963, as amended by PL 1975, c. 731, § 55, is further amended by adding at the end a new sentence to read:

The operator of a moped, motorized bicycle or tricycle shall be subject to all the penalties within this Title.

Sec. 9. 29 MRSA § 2506, sub-§ 6, as enacted by PL 1981, c. 117, § 5, is repealed.

Sec. 10. 29 MRSA § 2506, sub-§ 7 is enacted to read:

7. Motorized bicycle or tricycle. Motorized bicycle or tricycle, as defined in section 1, subsection 5-B.

Effective September 18, 1981

CHAPTER 345

H. P. 1092 — L. D. 1289

AN ACT to Clarify the Laws Pertaining to Municipal Personnel Records.

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

Sec. 1. 30 MRSA § 2257, sub-§ 1, ¶ B, first ¶, as enacted by PL 1979, c. 403, § 3, is repealed and the following enacted in its place:

Municipal records pertaining to an identifiable employee and containing the following:

Sec. 2. 30 MRSA § 2257, ¶ B, sub-¶ (5), as enacted by PL 1979, c. 403, § 3, is amended to read:

(5) Complaints, charges or accusations of misconduct, replies to those complaints, charges or accusations and any other information or materials that may result in disciplinary action. If disciplinary action is taken, the final written decision relating to that action shall no longer be confidential after it is completed. **The decision shall state the conduct or other facts on the basis**