

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST REGULAR SESSION

December 7, 1988 to July 1, 1989

Chapters 1 - 502

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
SEPTEMBER 30, 1989

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1989

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
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1989

in length, including all structural parts of the vehicle, permanent or temporary, and any load carried on or in the vehicle. Trailers or semitrailers shall not exceed 48 feet in length, including all structural parts of the vehicle, permanent or temporary, and provided that for trailers or semitrailers in excess of 45 feet the distance as measured between the center of the rearmost truck tractor axle and the center of the rearmost trailer axle shall not exceed 38 feet in length.

(1) The load on any vehicle combination utilized exclusively for the transportation of tree-length logs may extend rearward beyond the body of the vehicle by 8 1/2 feet, provided that not more than 25% of the length of the logs extend beyond the body of the vehicle combination.

(2) A combination of truck tractor and full trailer or truck tractor semitrailer may be operated on the Interstate Highway System and those qualifying federal aid primary system highways designated by the Secretary of the United States Department of Transportation pursuant to the United States Surface Transportation Assistance Act of 1982, Public Law 97-424, Section 411, with an overall length in excess of 65 feet, provided that the trailer or semitrailer does not exceed 48 feet in length.

(3) A combination of truck tractor, semitrailer and full trailer, or a combination of truck tractor and 2 semitrailers, with the 2 trailing units connected with a "B-train" assembly, may be operated on the Interstate Highway System and those qualifying federal aid primary system highways designated by the Secretary of the United States Department of Transportation, pursuant to the United States Surface Transportation Assistance Act of 1982, Public Law 97-424, Section 411, with an overall length in excess of 65 feet, provided that no semitrailer or trailer operating in either vehicle combination may exceed 28.5 feet in length.

(4) A stinger-steered autotransporter may be operated on the Interstate Highway System and those qualifying federal aid primary system highways designated by the Secretary of the United States Department of Transportation pursuant to the United States Surface Transportation Assistance Act of 1982, Public Law 97-424, Section 411, with an overall length not to exceed 75 feet.

Notwithstanding any other provision of the law, combination vehicles designed for the transportation of automobiles shall be permitted a front overhang of not more than 3 feet and a rear overhang of not more than 4

feet. These overhangs shall be in addition to the length limits authorized in this section.

(5) The overall length of trailers and semitrailers shall not include the space occupied by refrigeration units or other nonload-carrying appurtenances which may be permitted by federal regulation.

C. Fire department vehicles and disabled motor vehicles being towed to a repair facility are exempted from the length restrictions set out in this subsection.

D. The Commissioner of Transportation shall promulgate rules, not inconsistent with the provisions of the United States Surface Transportation Assistance Act of 1982, Public Law 97-424, to ensure reasonable access to vehicles, as set forth in paragraph B, subparagraphs (2), (3) and (4), between the Interstate Highway System and any other qualifying federal aid primary system highways, as designated by the Secretary of the United States Department of Transportation, and terminals, facilities for food, fuel, repairs and rest and points of loading and unloading for household goods carriers.

Any permits required pursuant to this paragraph shall be issued by the Secretary of State with the advice and consent of the Commissioner of Transportation.

See title page for effective date.

CHAPTER 108

H.P. 454 - L.D. 619

An Act Relating to Highway Construction and Maintenance Signs and Advertising Signs

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, it is desired to make the changes proposed in this bill before the summer maintenance season; 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. 23 MRSA §654, as amended by PL 1975, c. 771, §251, is repealed and the following enacted in its place:

§654. Detour roads and signs

Before a state or state-aid highway is closed due to construction, the department shall establish a practical detour route and properly sign the route at all intersections. The detour route shall be maintained in a condition adequate to serve traffic until the state or state-aid highway under construction is opened to traffic. Upon completion of the construction project all detour signs shall be removed.

Sec. 2. 23 MRSA §1152 is repealed.

Sec. 3. 29 MRSA §1255, first ¶, as amended by PL 1971, c. 593, §22, is further amended to read:

Notwithstanding section 1251 and section 1252, subsection 2, the Department of Transportation shall have authority to restrict the speed of all motor vehicles at any and all points on a highway under construction or during maintenance where in the opinion of the department a rate of speed less than that now authorized by law will minimize the danger of accident and in each such place shall fix the rate of speed in accordance with its own judgment.

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

Effective May 5, 1989.

CHAPTER 109

H.P. 432 - L.D. 597

An Act Relating to the Dig-safe Law

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, changes concerning exceptions to the dig-safe laws need to be made before the summer maintenance season begins; 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:

23 MRSA §3360-A, sub-§9, ¶A, as enacted by PL 1979, c. 362, §2, is amended to read:

A. Nothing in this section ~~shall apply~~ applies to the Department of Transportation, a public utility, a municipal public works or sewer department or a sanitary or sewer district, if written or verbal notice of the approximate location and time of that excavation is given by that ~~utility, department or district~~ person to

~~the owner or a designated representative of those other utilities, districts, municipal sewer or public works departments~~ the owner of any underground facilities in the area of the proposed excavation prior to any excavation taking place.

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

Effective May 5, 1989.

CHAPTER 110

H.P. 357 - L.D. 477

An Act to Publicize the Identities of Environmental Law Violators

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

38 MRSA §349, sub-§7 is enacted to read:

7. Notification. The department shall notify all newspapers of general circulation in the State of all administrative consent agreements, court-ordered consent decrees and adjudicated violations involving laws administered by the department.

See title page for effective date.

CHAPTER 111

H.P. 177 - L.D. 242

An Act to Return Certain Positions within the Department of Environmental Protection to Classified Service under the Civil Service Law

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

5 MRSA §938, sub-§1, ¶¶H to M, as enacted by PL 1987, c. 816, Pt. KK, §9, are repealed.

See title page for effective date.

CHAPTER 112

H.P. 570 - L.D. 774

An Act to Provide Motor Vehicle Registration Plates to Surviving Spouses of Prisoners of War