

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

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

AS PASSED BY THE  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
**FIRST SPECIAL SESSION**

August 21, 1989 to August 22, 1989

and

**SECOND REGULAR SESSION**

January 3, 1990 to April 14, 1990

THE GENERAL EFFECTIVE DATE FOR  
NON-EMERGENCY LAWS IS  
July 14, 1990

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  
1990

---

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

**AS PASSED AT THE**  
**SECOND REGULAR SESSION**

**of the**  
**ONE HUNDRED AND FOURTEENTH LEGISLATURE**

**January 3, 1990 to April 14, 1990**

---

take the personal recognizance with deposit in accordance with Title 12, section 7053, subsection 2, paragraph C and Title 12, section 9707.

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

Effective March 23, 1990.

---



---

## CHAPTER 705

S.P. 842 - L.D. 2161

### An Act Concerning the Driving of Deer or Moose

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

**Sec. 1. 12 MRSA §7001, sub-§6**, as amended by PL 1987, c. 696, §1, is further amended to read:

**6. Drive deer or moose.** To "drive deer or moose" means an organized or planned effort to intentionally pursue, drive, chase or otherwise frighten or cause a deer or moose to move in the direction of any person or persons who are part of the organized or planned hunt and known to be waiting for the deer or moose.

**Sec. 2. 12 MRSA §7458, sub-§10**, as enacted by PL 1979, c. 420, §1, is amended to read:

**10. Driving deer.** A person is guilty of driving deer if ~~he~~ that person participates in a ~~joint~~ hunt for deer, during which an organized or planned effort is made to drive deer.

**Sec. 3. 12 MRSA §7464, sub-§8-B**, as enacted by PL 1987, c. 696, §14, is amended to read:

**8-B. Driving moose.** A person is guilty of driving moose if that person participates in a ~~joint~~ hunt for moose during which an organized or planned effort is made to drive moose.

See title page for effective date.

---



---

## CHAPTER 706

H.P. 1453 - L.D. 2027

### An Act Concerning Trafficking in Prison Contraband

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

**Sec. 1. 17-A MRSA §756, sub-§2**, as amended by PL 1975, c. 740, §84, is further amended to read:

**2.** As used in this section, "contraband" means a dangerous weapon, any tool or other thing that may be used to facilitate a violation of section 755, or any other thing ~~which~~ that a person confined in official custody is prohibited by statute ~~or regulation~~ from making or possessing.

**Sec. 2. 17-A MRSA §757, sub-§1, ¶A**, as enacted by PL 1975, c. 499, §1, is amended to read:

**A. ~~He~~ That person intentionally conveys or attempts to convey contraband to any person in official custody; or**

See title page for effective date.

---



---

## CHAPTER 707

H.P. 1507 - L.D. 2087

### An Act to Authorize Discretion in the Use of Sirens on Ambulance Vehicles

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

**Sec. 1. 29 MRSA §946**, as amended by PL 1989, c. 32, §1, is further amended to read:

**§946. Right-of-way; police, fire and corrections vehicles**

Police, fire department; and forest fire control vehicles ~~and ambulance vehicles~~, when operated in response to calls, or when a police officer is in pursuit of a motor vehicle operator for which the police officer has probable cause to believe that the operator has committed or is in the process of committing a violation of law, and vehicles of the Department of Corrections making use of a blue light and a siren shall have the right-of-way. On the approach of any such vehicle, from any direction, and when such vehicle is sounding a siren and emitting a flashing light, the driver of every other vehicle shall immediately draw that driver's vehicle as near as practicable to the right-hand curb and parallel thereto, clear of any intersection, and bring it to a standstill until ~~such public service vehicles have~~ the police, fire or corrections vehicle has passed.

**Sec. 2. 29 MRSA §946-A, sub-§3**, as amended by PL 1987, c. 644, §5, is repealed and the following enacted in its place:

**3. Flashing lights.** The privileges granted in this section to an authorized emergency vehicle apply only when that vehicle is making use of the flashing emergency lights authorized in section 1367-B as follows:

A. Blue lights on police vehicles or vehicles of the Department of Corrections; or

B. Red lights on ambulances, fire department vehicles or forest fire control vehicles.

**Sec. 3. 29 MRSA §946-A, sub-§3-A** is enacted to read:

3-A. Audible signals. The privileges granted in this section to an authorized emergency vehicle apply only when that vehicle is equipped with a bell or siren as authorized by section 1362 and when that vehicle is making use of the bell or siren in accordance with section 946 or 946-B, as appropriate.

**Sec. 4. 29 MRSA §946-B** is enacted to read:

**§946-B. Right-of-way; ambulances**

1. Authorized emergency vehicle. This section applies to ambulances that are authorized emergency vehicles under section 1, subsection 1-B, and that are responding to, but not returning from an emergency call.

2. Right-of-way. Any ambulance has the right-of-way over other vehicles. On the approach of an ambulance, from any direction, when that ambulance is emitting signals in accordance with subsections 3 and 4, the driver of every other vehicle shall immediately draw that vehicle as near as practicable to the right-hand curb and parallel to the curb, clear of any intersection, and bring the vehicle to a standstill until the ambulance has passed.

3. Flashing light. The operator of an ambulance shall operate a flashing emergency light when attempting to gain the right-of-way and when exercising the privileges of section 946-A.

4. Siren. The operator of an ambulance shall operate a siren when attempting to gain the right-of-way or when exercising the privileges of section 946-A, unless the operator determines that use of the siren would be ineffective or unnecessary as an alerting device.

**Sec. 5. Review.** The Bureau of State Police and the Office of the State Fire Marshal in the Department of Public Safety, the Division of Forest Fire Control in the Department of Conservation, the Office of Emergency Medical Services in the Department of Human Services, and the Department of Corrections shall review the laws governing right-of-way and special privileges for emergency vehicles and report their findings and recommendations to the First Regular Session of the 115th Legislature, by January 1, 1991. The Department of Public Safety shall provide the chair of the review group and provide clerical assistance as needed. The review group shall consult with other interested groups that operate emergency vehicles included in the Maine Revised Statutes, Title 29, section 1, subsection 1-B, or sections 946, 946-A or 946-B. That review must consider how best to meet the need for emergency response while protecting the safety of other members of the public, the appropriate privileges to be extended to emergency vehicles, the audible and visible signals to be used to gain those privileges, which vehicles are to be included among the privi-

leged group and the need for driver training prior to the exercise of emergency vehicle privileges.

See title page for effective date.

---



---

## CHAPTER 708

H.P. 1504 - L.D. 2084

### An Act to Strengthen Drug Abuse Services for Children of School Age

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

**Sec. 1. 20-A MRSA §1001, sub-§9**, as amended by PL 1983, c. 806, §10, is further amended to read:

9. Students expelled or suspended. They shall ~~expell~~ expel any student who is deliberately disobedient or deliberately disorderly or for infractions of violence or possession, furnishing of or trafficking ~~of in~~ any scheduled drug as defined in Title 17-A, chapter 45, after a proper investigation of the student's behavior, and due process, if found necessary for the peace and usefulness of the school; and readmit the student on satisfactory evidence that the behavior ~~which that~~ was the cause of the student being expelled will not likely recur. The school ~~committee~~ board may authorize the principal to suspend students up to a maximum of 10 days for infractions of school rules. In addition to other powers and duties under this subsection, the school board may develop a policy requiring a student who is in violation of school substance abuse or possession rules to participate in substance abuse services as provided in section 6606.

**Sec. 2. 20-A MRSA c. 223, sub-c. VII**, as amended, is further amended by inserting before §6604, the following:

#### SUBCHAPTER VII-A

#### SCHOOL SUBSTANCE ABUSE SERVICES

**Sec. 3. 20-A MRSA §6606** is enacted to read:

**§6606. Participation in substance abuse services**

In compliance with written school policy adopted by a school board, the school board may require that a student who has been determined to be in violation of school rules governing substance abuse or alcohol or drug possession participate in a substance abuse assessment, education or support group service offered by the school. The school board shall provide for notice to the parents or legal guardian of a student required to participate in such services. If the school board elects to do so, it may request a parent or legal guardian to participate in the services.

See title page for effective date.

---



---