

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1990 to July 10, 1991

Chapters 1 - 590

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
OCTOBER 9, 1991

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
1991

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND FIFTEENTH LEGISLATURE

1991

CHAPTER 272

H.P. 487 - L.D. 681

An Act to Improve the Disbursement of Funds for Municipal Roads**Be it enacted by the People of the State of Maine as follows:**

23 MRSA §2705 is amended to read:

§2705. Appropriation insufficient

When the amount appropriated is not sufficient to repair the ways, a road commissioner may, with the written consent of the ~~selectmen~~ municipal officers, ~~employ inhabitants of the town to labor on such ways, to pay an amount not exceeding 15% of the amount so appropriated and in addition thereto to the amount appropriated.~~

See title page for effective date.

CHAPTER 273

H.P. 443 - L.D. 633

An Act Relating to Violations Involving the Disregard of Red Flashing Lights on School Buses**Be it enacted by the People of the State of Maine as follows:**

29 MRSA §2019, sub-§2-A is enacted to read:

2-A. Registered owner's liability for vehicle illegally passing a school bus. A person who is a registered owner of a vehicle at the time that vehicle is involved in a violation of subsection 2 commits a civil violation. For purposes of this subsection, "registered owner" includes a person issued a dealer or transporter registration plate.

A. The operator of a school bus who observes a violation of subsection 2 may report the violation to a police officer. If a report is made, the operator shall report the time and the location of the violation and the registration plate number and a description of the vehicle involved. The officer shall initiate an investigation of the reported violation and, if possible, contact the registered owner of the motor vehicle involved and request that the registered owner supply information identifying the operator.

B. The investigating officer may cause the registered owner of the vehicle to be served with a summons for a violation of this subsection.

C. Except as provided in paragraph D, it is not a defense to a violation of this subsection that a registered owner

was not operating the vehicle at the time of the violation.

D. The following are defenses to a violation of this subsection.

(1) If a person other than the owner is convicted of operating the vehicle at the time of the violation in violation of subsection 2, then the registered owner may not be found in violation of this subsection.

(2) If the registered owner is a lessor of vehicles and at the time of the violation the vehicle was in the possession of a lessee, and the lessor provides the investigating officer with a copy of the lease agreement containing the information required by section 901, then the lessee and not the lessor may be charged under this subsection.

(3) If the vehicle is operated using a dealer or transporter registration plate and at the time of the violation the vehicle was operated by any person other than the dealer or transporter, and if the dealer or transporter provides the investigating officer with the name and address of the person who had control over the vehicle at the time of the violation, then that person and not the dealer or transporter may be charged under this subsection.

(4) If a report that the vehicle was stolen is given to a law enforcement officer or agency before the violation occurs or within a reasonable time after the violation occurs, then the registered owner may not be charged under this subsection.

E. Notwithstanding subsection 5, a person who violates this subsection commits a civil violation for which a forfeiture of not less than \$50 or more than \$250 may be adjudged.

See title page for effective date.

CHAPTER 274

H.P. 432 - L.D. 615

An Act to Clarify Provisions Relating to Pharmacies**Be it enacted by the People of the State of Maine as follows:**

Sec. 1. 17-A MRSA §1113, as repealed and replaced by PL 1977, c. 671, §26, is repealed.

Sec. 2. 32 MRSA §13723, sub-§7, as enacted by PL 1987, c. 710, §5, is amended to read: