

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
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section, or in good faith investigates that complaint or provides access to those persons carrying out the investigation, about an act or practice in any boarding care facility licensed according to section 5154 or 7801 or any nursing home licensed according to section 1817 or who participates in a judicial proceeding resulting from that complaint is immune from any civil or criminal liability that otherwise might result from these actions. For the purpose of any civil or criminal proceedings, there is a rebuttable presumption that any person acting pursuant to this subsection did so in good faith;

See title page for effective date.

CHAPTER 409

H.P. 688 - L.D. 987

An Act to Allow the Department of Transportation to Facilitate Traffic and Highway Improvements

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

Sec. 1. 23 MRSA §57-A is enacted to read:

§57-A. Acceptance of funds

The Department of Transportation is authorized and empowered to accept for the State funds from one or more private parties for transportation improvement needs generated by development. Such funds must be segregated and held in an account to be used as agreed by the parties. The State and its employees are not liable to any person, corporation or entity for damages arising out of any activities or contracts or for any other service or financial commitment resulting from the implementation of this section.

Sec. 2. 23 MRSA §401 is amended to read:

§401. Construction, reconstruction and improvement

The construction, reconstruction and improvement of all bridges on state highways, and all approaches thereto, shall be to those bridges are borne wholly by the State except as otherwise provided in this Title.

Sec. 3. 23 MRSA §651, as amended by PL 1987, c. 141, Pt. B, §18, is further amended by adding at the end a new paragraph to read:

The department, at its discretion, may authorize a person, corporation or entity who has had conditions imposed by the Department of Environmental Protection pursuant to Title 38, section 484, subsection 2 or by other governmental review to perform construction work on the state or state aid highway system. The performance of the work must be in compliance with the department's standards for highway and bridge construction,

traffic control and bonding and any other standards or conditions the department may impose. All of the department's expenses and administrative costs relating to the work must be paid by the person authorized to perform the work. Notwithstanding the Maine Tort Claims Act, Title 14, chapter 741, the State or its employees are immune from suit for damages arising from any activities performed in connection with this work.

See title page for effective date.

CHAPTER 410

S.P. 674 - L.D. 1788

An Act to Authorize Operation of a 6-axle Single Unit Truck and a Combination Vehicle with a 53-foot Semitrailer Resulting from the Experimental Vehicle Program

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

PART A

Sec. A-1. 29 MRSA §1652, sub-§1, ¶A, as amended by PL 1989, c. 528, §§2 and 16, is further amended to read:

A. No vehicle or combination of vehicles shall may be operated, or caused to be operated, on or over any way or bridge when the gross weight, actual weight of vehicle and load, exceeds 90,000 pounds. No vehicles having 2 axles shall may be so operated, or caused to be operated, when the gross weight exceeds 34,000 pounds; no vehicle or combination of vehicles having 3 axles shall may be so operated, or caused to be operated, when the gross weight exceeds 54,000 pounds; no vehicle or combination of vehicles having 4 axles shall or, except as provided in paragraph G, any single unit vehicle having 5 or more axles, may be so operated, or caused to be operated, when the gross weight exceeds 69,000 pounds; except as provided in paragraph E, no vehicle or combination of vehicles having 5 or more axles shall may be so operated, or caused to be operated, when the gross weight exceeds 80,000 pounds. Vehicles may be operated, or caused to be operated on the Interstate Highway System, as defined in the Federal Aid Highway Act of 1956, with a maximum gross weight permitted by this subsection, provided such gross weights do not exceed the following formula:

$$W=500 \left(\frac{LN}{N-1} + 12N + 36 \right)$$

W=overall gross weight on any group of 2 or more consecutive axles to the nearest 500 pounds
L=overall distance in feet between the extreme of any group of 2 or more consecutive axles