

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINETEENTH LEGISLATURE

FIRST REGULAR SESSION
December 2, 1998 to June 19, 1999

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 18, 1999

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
1999

hearing must be held in the evening or at times convenient to the public and may use available technology. At least 2 members of the board shall attend each hearing.

D. The board shall specify in rules the criteria that must be met as a precondition to offering an emergency medical services course, refresher course or continuing education course. The board shall work toward developing consistent educational programming in terms of course content, course requirements and quality of instruction. The board shall adopt rules, which are routine technical rules pursuant to Title 5, chapter 375, subchapter II-A, regarding the requirements for certification, recertification and decertification of persons engaged in emergency medical services education and training.

Sec. 13. 32 MRSA §88, sub-§2, ¶F-1, as repealed and replaced by PL 1993, c. 575, §1, is amended to read:

F-1. The director must be qualified by training or by experience and is appointed by the board with approval of the commissioner. The director serves for an indefinite term, subject to removal for cause. ~~The Governor shall set the compensation of the director.~~

Sec. 14. 32 MRSA §88, sub-§2, ¶J is enacted to read:

J. The board shall establish and maintain a statewide quality assurance and improvement committee and shall adopt rules, which are routine technical rules pursuant to Title 5, chapter 375, subchapter II-A, regarding the requirements and authority of the statewide quality assurance and improvement committee.

Sec. 15. 32 MRSA §89, sub-§2, ¶E, as amended by PL 1991, c. 588, §18, is further amended to read:

E. ~~Developing~~ Assisting the board in developing and implementing a statewide certification and decertification process for advanced emergency medical services persons within each region;

See title page for effective date.

CHAPTER 183

S.P. 317 - L.D. 951

An Act to Amend the Motor Vehicle Laws

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

Sec. 1. 29-A MRSA §510, sub-§2, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

2. Skidder. Registration is not required for a log skidder used solely for logging purposes when operated to or from:

A. The premises where kept and a woodlot, or between woodlots used for logging purposes by the owner of the log skidder or the owner's employee; or

B. A filling station or garage for fuel or repairs.

~~Chains attached to the tires or wheels of the skidder must be removed prior to operation on a paved way.~~

Sec. 2. 29-A MRSA §555, sub-§2, ¶B, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is repealed.

Sec. 3. 29-A MRSA §555, sub-§2, ¶C, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

C. For every rule adopted under this subsection:

(1) The bureau shall file with the Secretary of State:

(a) A certified copy of the rule;

(b) A published copy of the federal regulation or amendment as printed in the Federal Register; and

(c) Annually, a published copy of the updated volume of the Code of Federal Regulations containing the federal regulation; and

~~(2) The bureau shall supply, without cost or at actual cost, copies of each rule to a person who has filed within the past year a written request to be supplied with copies of rules, and to any other person on request. The bureau shall make available for inspection at no charge, and for copying at actual cost, a current published copy of the referenced federal regulations.~~

The bureau shall make available for inspection at no charge, and for copying at actual cost, a current published copy of the referenced federal regulations.

Sec. 4. 29-A MRSA §1769, sub-§2, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by

Pt. B, §5, is repealed and the following enacted in its place:

2. Review of rules by Legislature. Rules adopted under this section are major substantive rules pursuant to Title 5, chapter 375, subchapter II-A.

Sec. 5. 29-A MRSA §1902, sub-§4, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

4. Trucks; specific requirements. A Special mobile equipment or a truck, truck tractor, trailer or semitrailer must be equipped with adequate brakes acting on all wheels of all axles, except that the following need not meet this requirement:

A. A trailer or semitrailer not exceeding a gross weight of 3,000 pounds;

B. A vehicle towed by use of a wrecker;

C. A vehicle meeting braking requirements of the motor carrier safety regulations of the United States Department of Transportation;

D. A semitrailer with a gross weight of semitrailer and load not to exceed 12,000 pounds, designed and used exclusively:

(1) For the dispensing of cable from attached reels, commonly called a reel trailers trailer; or

(2) To support the end of poles while being transported, commonly called a pole dollies dolly; and

F. A dolly axle, so-called, on a farm truck transporting agricultural products and supplies.

A dolly axle may not be considered in determining the gross weight or axle limits permitted on the vehicle.

A 2-axle or 3-axle farm truck equipped with a dolly axle is considered a 2-axle or 3-axle vehicle.

Sec. 6. 29-A MRSA §1916, sub-§1, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

1. Windows to be unobscured. A person may not operate a motor vehicle required to be registered in this State and an inspection mechanic may not issue a certificate of inspection for a motor vehicle, if:

A. A window is composed of, covered by or treated with any material that is reflective;

B. The front windshield is composed of, covered by or treated with a material that reduces the

light transmittance through the window more than the original installation window or an original replacement window;

C. A side window or rear window is composed of, covered by or treated with a material that has a light transmittance of less than 50%; or

D. A front windshield, front door window or window at either end of a rear passenger seat does not contain 2-way glass that provides the occupants with a clear view of the road and a person outside the vehicle with a clear view of the occupants and the interior of the vehicle.

Sec. 7. 29-A MRSA §§1923 and 1924 are enacted to read:

§1923. Reading while operating a motor vehicle prohibited

An operator may not read printed material including but not limited to, a newspaper, book, brochure or pamphlet, while operating a motor vehicle. Printed material does not include a map or written directions to a specific location.

§1924. Chains on skidders

Chains attached to the tires or wheels of a skidder must be removed prior to operation on a paved way.

Sec. 8. 29-A MRSA §2053, sub-§6, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

6. Traffic circles or rotary intersections. An operator of a vehicle approaching a traffic circle or rotary intersection, ~~must~~ shall yield the right-of-way to a vehicle already within the traffic circle or rotary intersection; unless otherwise regulated by a law enforcement officer or by traffic control devices. The operator of a vehicle entering and passing around a rotary or traffic circle shall drive only to the right of the rotary or traffic circle and yield the right-of-way to a vehicle on the operator's left. Driving on or across the center part of a rotary or traffic circle is prohibited, except that the wheels of a semitrailer or trailer may cross the center part as long as the wheels of the towing vehicle do not cross the center part.

Sec. 9. 29-A MRSA §2057, sub-§11 is enacted to read:

11. Avoidance of traffic control device prohibited. An operator may not operate a motor vehicle through a parking area to avoid obeying or conforming to the requirements of a traffic control device.

Sec. 10. 29-A MRSA §2061, sub-§1, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

1. Prohibition. A person commits a traffic infraction if that person occupies a camp trailer, mobile home, vehicle being towed by a wrecker or by a motor vehicle using a tow bar, semitrailer or trailer while it is being moved on a public way.

Sec. 11. 29-A MRSA §2078, 2nd ¶, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

An operator or pedestrian commits a Class E crime if that operator or pedestrian refuses to follow the directions for the movement of vehicles or pedestrians on request or signal of a law enforcement officer.

Sec. 12. 29-A MRSA §2085 is enacted to read:

§2085. Riding in trunk prohibited

A person may not ride in or occupy the trunk of a vehicle while the vehicle is in motion on a public way.

Sec. 13. 29-A MRSA §2308, sub-§2, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

2. Stopping. The operator of a vehicle on a way, in a parking area or on school property, on meeting or overtaking a school bus from either direction when the bus has stopped with its red lights flashing to receive or discharge passengers, shall stop the vehicle before reaching the school bus. The operator may not proceed until the school bus resumes motion or until signaled by the school bus operator to proceed.

See title page for effective date.

CHAPTER 184

H.P. 1023 - L.D. 1434

**An Act to Make Minor Corrections
to the Laws Governing Financial
Regulation and Debt Collection**

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

Sec. 1. 9-A MRSA §2-202, sub-§7, as enacted by PL 1995, c. 84, §4, is amended to read:

7. With respect to consumer credit sales made pursuant to an open-end a credit agreement card, other

than a lender credit card, a creditor may not impose a finance charge if it is in excess of that set forth in the agreement between the consumer and the creditor.

Sec. 2. 9-A MRSA §2-302, sub-§2, ¶A, as amended by PL 1997, c. 727, Pt. B, §5, is further amended to read:

A. Every applicant shall also, at the time of filing such application, file with the administrator, if the administrator so requires, a bond satisfactory to the administrator in an amount not to exceed ~~\$25,000~~ \$50,000. The terms of the bond must run concurrent with the period of time during which the license will be in effect. The bond must run to the State for the use of the State and of any person or persons who may have a cause of action against the licensee under this Act. The bond must be conditional that the licensee will faithfully conform to and abide by the provisions of this Act and to all rules lawfully made by the administrator ~~hereunder~~ under this Act and will pay to the State and to any such person or persons any and all amounts of money that may become due or owing to the State or to such person or persons from the licensee under and by virtue of this Act during the period for which the bond is given;

Sec. 3. 9-A MRSA §2-401, sub-§7, ¶B, as enacted by PL 1975, c. 298, §2, is amended to read:

B. ~~Seven dollars and fifty cents~~ Fifteen dollars when the amount financed exceeds \$75, but is less than \$250; or

Sec. 4. 9-A MRSA §2-502, sub-§1, as amended by PL 1985, c. 763, Pt. A, §34, is further amended to read:

1. With respect to a precomputed consumer credit transaction ~~and~~, a consumer lease or a fixed-rate consumer credit transaction that is not made pursuant to open-end credit and that is secured only by an interest in real estate, the parties may contract for a delinquency charge on any installment not paid in full within 15 days after its scheduled or deferred due date in an amount not exceeding the greater of:

A. An amount, not exceeding \$10, which is 5% of the unpaid amount of the installment; or

B. The deferral charge, section 2-503, that would be permitted to defer the unpaid amount of the ~~installment~~ installment for the period that it is delinquent.

Sec. 5. 9-A MRSA §6-117 is enacted to read: