

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWENTY-FIRST LEGISLATURE

FIRST SPECIAL SESSION
August 21, 2003 to August 22, 2003

The General Effective Date For
First Special Session
Non-Emergency Laws Is
November 22, 2003

SECOND REGULAR SESSION
January 7, 2004 to January 30, 2004

The General Effective Date For
Second Regular Session
Non-Emergency Laws Is
April 30, 2004

SECOND SPECIAL SESSION
February 3, 2004 to April 30, 2004

The General Effective Date For
Second Special Session
Non-Emergency Laws Is
July 30, 2004

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

Penmor Lithographers
Lewiston, Maine
2004

standards. Purchases of new personal alert safety ~~system~~ systems, PASS, by a fire department must meet or exceed the National Fire Protection Association standards.

9. Fire service life safety rope, harness and hardware. Purchases of new fire service life safety rope, harness and hardware by a fire department must meet National Fire Protection Association standards.

10. Hearing protection. Each fire department shall provide and each firefighter shall use hearing protection when the firefighter is operating or riding on fire apparatus and is subject to noise in excess of 90 decibels. Hearing protection must be provided and used when the firefighter is exposed to noise in excess of 90 decibels from power tools or equipment, except in situations when the use of the protective equipment would create an additional hazard to the user. Hearing protection must conform to Occupational Safety and Health Administration standards, 29 Code of Federal Regulations, Section 1910.95.

Sec. 4. 26 MRSA §2104, sub-§1, as enacted by PL 1987, c. 356, is amended to read:

1. Eye, face protection. Each fire department shall provide and each firefighter shall use eye ~~and~~ or face protection, or both, when the firefighter is engaged in fire suppression and other operations involving hazards to the eyes and face at all times when the face is not protected by the full facepiece of self-contained breathing apparatus.

Sec. 5. 26 MRSA §2104, sub-§2, as enacted by PL 1987, c. 356, is repealed.

Sec. 6. 26 MRSA §2105, sub-§1, as enacted by PL 1987, c. 356, is amended to read:

1. All components, air supply devices, personal alert safety system devices and warning devices. A complete inspection of all components, air supply devices, personal alert safety system devices and warning devices to be performed after each use and:

A. For volunteer associations and on-call fire departments, every month; and

B. For full-time fire departments, every week;

Sec. 7. Effective date. This Act takes effect July 1, 2005.

Effective July 1, 2005.

CHAPTER 571

S.P. 605 - L.D. 1654

An Act To Amend Transportation Laws

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

Sec. 1. 23 MRSA §704, sub-§3, as enacted by PL 1999, c. 676, §1 and affected by §2, is amended to read:

3. Arterial highways. For arterial highways that lie outside the compact area of an urban compact municipality, the Department of Transportation shall limit the number, spacing, design, location and construction of driveways, entrances or approaches to ~~maintain~~ promote the maintenance of existing posted speeds and ensure safe travel.

Sec. 2. 23 MRSA §704, sub-§6, as amended by PL 2001, c. 301, §1, is further amended to read:

6. Access denied. The Department of Transportation and the municipalities shall deny ingress to and egress from property abutting the highway when access rights have been acquired by the department, except that the Commissioner of Transportation may allow access for the development of state and state aid highways and may approve a relocation of an existing break in a control of access consistent with the rules adopted pursuant to subsection 2.

See title page for effective date.

CHAPTER 572

S.P. 608 - L.D. 1676

An Act To Allow Communications Towers on Land of the Maine Turnpike Authority

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

Sec. 1. 23 MRSA §1965, sub-§1, ¶D-1, as enacted by PL 2001, c. 41, §1, is amended to read:

D-1. Construct, acquire, install, maintain and reconstruct communications facilities and equipment within the boundaries of the turnpike for the use of the authority, the use of others or both on such terms and conditions as the authority may determine, ~~provided that any communications tower constructed, acquired, installed, maintained or reconstructed by the authority~~