

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE

FIRST REGULAR SESSION
December 1, 2004 to March 30, 2005

FIRST SPECIAL SESSION
April 4, 2005 to June 18, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 17, 2005

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

Penmor Lithographers
Lewiston, Maine
2005

Hampden, Kenduskeag, Levant, Newburgh, Newport, Plymouth and Stetson.

34. Senate District 34. Senate District 34 consists of:

A. In Aroostook County, the municipalities and unorganized territories of Amity; Ashland; Bancroft; Blaine; Bridgewater; Cary Plantation; Central Aroostook Township, including Squapan Township, St. Croix Township, Webbertown Township, Dudley Township, Cox Patent and E Plantation - E R-2; Chapman; Crystal; Dyer Brook; Easton; Fort Fairfield; Glenwood Plantation; Hammond; Haynesville; Hersey; Hodgdon; Houlton; Island Falls; Linneus; Littleton; Ludlow; Macwahoc Plantation; Mars Hill; Masardis; Merrill; Monticello; Moro Plantation; New Limerick; Oakfield; Orient; Oxbow Plantation; Presque Isle; Reed Plantation; Sherman; Smyrna; South Aroostook Township, including Benedicta Township, Molunkus Township, Silver Ridge Township, Forkstown Township, Upper Molunkus Township and North Yarmouth Academy Grant Township; Westfield; and Weston.

35. Senate District 35. Senate District 35 consists of:

A. In Aroostook County, the municipalities and unorganized territories of Allagash; Caribou; Castle Hill; Caswell; Connor Township; Cyr Plantation; Eagle Lake; Fort Kent; Frenchville; Garfield Plantation; Grand Isle; Hamlin; Limestone; Madawaska; Mapleton; Nashville Plantation; New Canada; New Sweden; Northwest Aroostook Township, including T11 R14; Perham; Portage Lake; Square Lake, including T17 R2, T17 R3, T17 R4, also known as Sinclair, T17 R5, T15 R6 and T16 R4, also known as Madawaska Lake; St. Agatha; St. Francis; St. John Plantation; Stockholm; Van Buren; Wade; Wallagrass; Washburn; Westmanland; Winterville Plantation; and Woodland.

Sec. 3. Retroactivity. This Act applies retroactively to July 2, 2003.

See title page for effective date.

CHAPTER 14

S.P. 19 - L.D. 39

An Act To Amend the Definition of Authorized Emergency Vehicle

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

Sec. 1. 29-A MRSA §2054, sub-§1, ¶B, as amended by PL 2003, c. 451, Pt. T, §14, is further amended to read:

B. "Authorized emergency vehicle" means any one of the following vehicles:

- (1) An ambulance;
- (2) A Baxter State Park Authority vehicle operated by a Baxter State Park ranger;
- (3) A Bureau of Marine Patrol vehicle operated by a coastal warden;
- (4) A Department of Conservation vehicle operated by a forest ranger;
- (5) A Department of Conservation vehicle used for forest fire control;
- (6) A Department of Corrections vehicle used for responding to the escape of or performing the high-security transfer of a prisoner, juvenile client or juvenile detainee;
- (7) A Department of Inland Fisheries and Wildlife vehicle operated by a warden;
- (8) A Department of Public Safety vehicle operated by a capital security officer appointed pursuant to Title 25, section 2908, a state fire investigator or a Maine Drug Enforcement Agency officer;
- (9) An emergency medical service vehicle;
- (10) A fire department vehicle;
- (11) A hazardous material response vehicle, including a vehicle designed to respond to a weapon of mass destruction;
- (12) A railroad police vehicle;
- (13) A sheriff's department vehicle;
- (14) A State Police or municipal police department vehicle;
- (15) A vehicle operated by a chief of police, a sheriff or a deputy sheriff when authorized by the sheriff;
- (16) A vehicle operated by a municipal fire inspector, a municipal fire chief, an assistant or deputy chief or a town forest fire warden;
- (17) A vehicle operated by a qualified deputy sheriff or other qualified individual to perform court security-related functions and services as authorized by the State Court

Administrator pursuant to Title 4, section 17, subsection 15; ~~or~~

(18) A Federal Government vehicle operated by a federal law enforcement officer; ~~and~~

(19) A vehicle operated by a municipal rescue chief, deputy chief or assistant chief.

Sec. 2. 29-A MRSA §2054, sub-§1, ¶J is enacted to read:

J. "Rescue vehicle" means any vehicle listed under paragraph B, subparagraph (19).

Sec. 3. 29-A MRSA §2054, sub-§2, ¶F, as amended by PL 2003, c. 510, Pt. C, §9 and affected by c. 599, §§12 and 13, is further amended to read:

F. Only vehicles listed in this paragraph, rural mail vehicles as provided in paragraph C, subparagraph (5) and school buses may be equipped with, display or use a red auxiliary or emergency light.

(1) Emergency lights used on an ambulance, an emergency medical service vehicle, a fire department vehicle, a fire vehicle, a rescue vehicle or a hazardous material response vehicle must emit a red light or a combination of red and white light.

(2) The municipal officers or a municipal official designated by the municipal officers, with the approval of the fire chief, may authorize an active member of a municipal or volunteer fire department to use a flashing red signal light not more than 5 inches in diameter on a vehicle. The light may be displayed but may be used only while the member is en route to or at the scene of a fire or other emergency. The light must be mounted as near as practicable above the registration plate on the front of the vehicle or on the dashboard. A light mounted on the dashboard must be shielded so that the emitted light does not interfere with the operator's vision.

(3) Members of an emergency medical service licensed by Maine Emergency Medical Services may display and use on a vehicle a flashing red signal light of the same proportion, in the same location and under the same conditions as those permitted municipal and volunteer firefighters, when authorized by the chief official of the emergency medical service.

See title page for effective date.

CHAPTER 15

H.P. 89 - L.D. 113

An Act To Allow Animal Control Officers and Individuals Who Collect Trash To Use Flashing Amber Lights on Their Vehicles

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

Sec. 1. 29-A MRSA §2054, sub-§2, ¶C, as amended by PL 2003, c. 209, §1, is further amended to read:

C. The use of amber lights on vehicles is governed by the following.

(1) A vehicle engaged in highway maintenance or in emergency rescue operations by civil defense and public safety agencies and a public utility emergency service vehicle may be equipped with auxiliary lights that emit an amber light.

(2) A wrecker must be equipped with a flashing light mounted on top of the vehicle in such a manner as to emit an amber light over a 360° angle. The light must be in use on a public way or a place where public traffic may reasonably be anticipated when servicing, freeing, loading, unloading or towing a vehicle.

(3) A vehicle engaged in snow removal or sanding operations on a public way must be equipped with and display at least 2 auxiliary lights mounted on the highest practical point on the vehicle and provide visible light coverage over a 360° range. The lights must emit an amber beam of light, be at least 6 inches in diameter and be equipped with blinking attachments. In lieu of the lights specified, a vehicle may be equipped with at least one auxiliary rotating flashing light having 4-inch sealed beams and showing amber beams of light over a 360° range or an amber strobe, or combination of strobes, that emits at a minimum a beam of 1,000,000 candlepower and provides visible light coverage over a 360° range. When the left wing of a plow is in operation and extends over the center of the road, an auxiliary light must show the extreme end of the left wing. That light may be attached to the vehicle so that the beam of light points at the left wing. The light illuminating the left wing may be controlled by a separate switch or by the regular