

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

CHAPTER 166

H.P. 880 - L.D. 1283

**An Act To Allow Applicants for
Limited Radiographer Licenses To
Take Qualifying Views**

Emergency preamble. Whereas, acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, it must be ensured that applicants for limited radiographer licenses have the ability to take the qualifying views necessary to obtain their licenses and aid in the delivery of health care in the State; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 32 MRSA §9854, sub-§3, ¶C, as enacted by PL 1983, c. 524, is amended to read:

C. A resident physician or a student enrolled in and attending a school or college of medicine, osteopathy, chiropractic, podiatry, dentistry or radiologic technology or an individual who is concurrently obtaining the education and clinical training required by the board by rule who applies ionizing radiation to a human being while under the supervision of a licensed practitioner; or

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective May 20, 2005.

CHAPTER 167

S.P. 464 - L.D. 1337

**An Act To Allow Firefighters and
Emergency Service Personnel To
Direct Traffic**

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

Sec. 1. 29-A MRSA §2091 is enacted to read:

§2091. Control of vehicular traffic at emergency scenes

1. Definition. For the purposes of this section, "public safety traffic flagger" means a municipal firefighter, a volunteer firefighter or a member of an emergency medical service licensed by the Department of Public Safety, Maine Emergency Medical Services who is trained in accordance with subsection 2 and authorized by the chief official of the fire department or emergency medical service to control vehicular traffic.

2. Training. All public safety traffic flaggers must receive training approved by the Department of Labor, Bureau of Labor Standards in controlling traffic on public ways. Training may consist of video instruction, instruction in a classroom setting, distribution of informational handbooks or other educational materials or other training activities.

3. Authority. Notwithstanding any other provision of this Title, a public safety traffic flagger shall wear a reflective traffic vest or protective clothing as defined by Title 26, section 2103, subsection 3 and has the authority to control vehicular traffic on a public way at or to reroute vehicular traffic around a public safety emergency, including a medical emergency, motor vehicle accident, fire, hazardous materials incident or other natural or man-made disaster or a training operation, unless otherwise directed by a law enforcement officer.

4. Obeying public safety traffic flagger. An operator of a motor vehicle on a public way shall obey a request or signal of a person who is reasonably identifiable as a public safety traffic flagger. A violation of this subsection is a traffic infraction.

5. Registered owner's liability. A person who is a registered owner of a vehicle at the time that vehicle is involved in a violation of subsection 4 commits a traffic infraction. For the purposes of this subsection, "registered owner" includes a person issued a dealer or transporter registration plate.

A. A public safety traffic flagger who observes a violation of subsection 4 may report the violation to a law enforcement officer. If a report is made, the public safety traffic flagger 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 of the registered owner's motor vehicle at the time of the incident.