

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 2010 to June 29, 2011

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 28, 2011

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

Augusta, Maine
2011

dered, the person has served the period of suspension ordered by the court.

4. Repeal. This section is repealed June 15, 2013.

Sec. 2. Maine Revised Statutes headnote amended; revision clause. In the Maine Revised Statutes, Title 22, chapter 558, in the chapter headnote, the words "marijuana, scheduled drugs, imitation scheduled drugs and hypodermic apparatuses" are amended to read "marijuana, scheduled drugs, imitation scheduled drugs, certain synthetic hallucinogenic drugs and hypodermic apparatuses" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

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

Effective July 6, 2011.

CHAPTER 448

H.P. 835 - L.D. 1123

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 §1768, sub-§8 is enacted to read:

8. Performance of inspections, issuance of inspection certificate by a person with a suspended or revoked inspection mechanic license. A person commits a Class E crime if, at a time when the person's inspection mechanic license is suspended or revoked pursuant to section 1763, the person:

A. Performs a state motor vehicle inspection or federally approved motor vehicle inspection in order for a certificate of inspection or report to be issued by a 3rd party; or

B. Issues a state or federally approved certificate of inspection or report.

Sec. 2. 29-A MRSA §2054, sub-§2, ¶C, as amended by PL 2009, c. 251, §10, 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.

(1-A) A Department of Labor motor vehicle operated by a workplace safety inspector 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 an auxiliary light that provides visible light coverage over a 360° range. The light must emit an amber beam of light and be equipped with a blinking or strobe light function and have sufficient intensity to be visible at 500 feet in normal daylight. 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 lighting system and must be in operation at all times when the vehicle is used for plowing snow on public ways.

(4) A vehicle equipped and used for plowing snow on other than public ways may be equipped with an auxiliary rotary flashing light that must be mounted on top of the vehicle in such a manner as to emit an amber beam of light over a 360° angle, or an amber strobe, or combination of strobes, that emits at a minimum a beam of 50 candlepower and provides visible light coverage over a 360° range. The light may be in use on a public way only when the vehicle is entering the public way in the course of plowing private driveways and other off-highway locations.

(5) A rural mail vehicle may be equipped with auxiliary lights.

(a) The lights used to the front must be white or amber, or any shade between white and amber.

(b) The lights used to the rear must be amber or red, or any shade between amber and red.

(c) The lights, whether used to the front or rear, must be mounted at the same level and as widely spaced laterally as possible.

(d) The lights, whether used to the front or rear, must flash simultaneously.

(e) The lights must be visible from a distance of at least 500 feet in normal daylight.

(6) A vehicle used or provided by a contract security company to assist in traffic control and direction at construction or maintenance sites on a public way may be equipped with amber auxiliary lights.

(7) A Department of Public Safety vehicle operated by a motor carrier inspector or motor vehicle inspector may be equipped with auxiliary lights that emit an amber light.

(8) A vehicle used by an animal control officer appointed pursuant to Title 7, section 3947 may be equipped with auxiliary lights that emit a flashing amber light.

(9) A refuse, garbage or trash business vehicle used by an individual to transport refuse, garbage and trash may be equipped with auxiliary lights that emit a flashing amber light.

(10) A vehicle used by an individual to transport and deliver newspapers may be equipped with auxiliary lights that emit a flashing amber light.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

CORRECTIONS, STATE BOARD OF State Board of Corrections Investment Fund Z075

Initiative: Provides funds to the State Board of Corrections for the costs associated with establishing a new Class E offense.

GENERAL FUND	2011-12	2012-13
All Other	\$0	\$3,132
GENERAL FUND TOTAL	\$0	\$3,132

Sec. 4. Effective date. That section of this Act that enacts the Maine Revised Statutes, Title 29-A, section 1768, subsection 8 takes effect July 1, 2012.

See title page for effective date, unless otherwise indicated.

CHAPTER 449 S.P. 485 - L.D. 1524

An Act To Amend the Laws Relating to the Maine Public Employees Retirement System

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

Sec. 1. 5 MRSA §17057, sub-§4, as corrected by RR 2009, c. 2, §3, is amended to read:

4. Investment activity information. Disclosure of private market investment activity of the retirement system, ~~pursuant to the innovation finance program,~~ is governed by this subsection.

A. Documentary material, data or information in the possession of the retirement system that consists of trade secrets or commercial or financial information that relates to ~~the investments actual~~ or potential private market investments of the retirement system ~~pursuant to the innovation finance program under Title 10, section 1026-F~~ is confidential and not open to public inspection and does not constitute "public records" as defined in Title 1, section 402, subsection 3 if, in the sole discretion of the retirement system, the disclosure of the material, data or information may:

- (1) Impair the retirement system's ability to obtain such material, data or information in the future; ~~or~~
- (2) Cause substantial harm to the competitive position of the retirement system or of the person or entity from whom the information was obtained; ~~or~~
- (3) Result in the potential violation of state and federal laws and regulations relating to insider trading.

B. The following information concerning any ~~venture capital~~ fund in which the retirement system is invested ~~pursuant to the innovation finance program under Title 10, section 1026-F~~ is not exempt from disclosure:

- (1) The retirement system's total commitment to the ~~venture capital~~ fund;
- (2) The date of the commitment to the ~~venture capital~~ fund;
- (3) Contributions and distributions made to or received from ~~an innovation finance program~~ the fund;
- (4) The market value of the investment;