

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 5, 2012 to July 10, 2013**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**OCTOBER 9, 2013**

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

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**Augusta, Maine**  
**2013**

that receives a report pursuant to section 2702 shall review the report and shall make recommendations to the joint standing committee having jurisdiction over judiciary matters. The joint standing committee having jurisdiction over judiciary matters shall review the report, and may report out a bill to the first or second regular session of the Legislature to make statutory changes the committee determines necessary to align the statutes with federal law, other state law or decisions of the United States Supreme Court or the Supreme Judicial Court.

**Sec. 2. 3 MRSA §956, sub-§2, ¶M**, as amended by PL 2001, c. 495, §2, is further amended to read:

M. Agency policies for collecting, managing and using personal information over the Internet and nonelectronically, information on the agency's implementation of information technologies and an evaluation of the agency's adherence to the fair information practice principles of notice, choice, access, integrity and enforcement; ~~and~~

**Sec. 3. 3 MRSA §956, sub-§2, ¶N**, as enacted by PL 2001, c. 495, §3, is amended to read:

N. A list of reports, applications and other similar paperwork required to be filed with the agency by the public. The list must include:

- (1) The statutory authority for each filing requirement;
- (2) The date each filing requirement was adopted or last amended by the agency;
- (3) The frequency that filing is required;
- (4) The number of filings received annually for the last 2 years and the number anticipated to be received annually for the next 2 years; and
- (5) A description of the actions taken or contemplated by the agency to reduce filing requirements and paperwork duplication; ~~and~~

**Sec. 4. 3 MRSA §956, sub-§2, ¶O** is enacted to read:

O. Identification of provisions contained in the agency's or independent agency's enabling or authorizing statutes that may require legislative review to determine the necessity of amendment to align the statutes with federal law, other state law or decisions of the United States Supreme Court or the Supreme Judicial Court.

See title page for effective date.

## CHAPTER 111

### S.P. 245 - L.D. 696

#### **An Act To Include Raising Equines in the Definition of Agriculture for the Purpose of the Maine Workers' Compensation Act of 1992**

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

**Sec. 1. 39-A MRSA §102, sub-§2**, as enacted by PL 1991, c. 885, Pt. A, §8 and affected by §§9 to 11, is amended to read:

**2. Agriculture.** "Agriculture" means the operation of farm premises, including:

- A. The planting, cultivating, producing, growing and harvesting of agricultural or horticultural commodities on those premises;
- B. The raising of livestock and poultry on those premises; ~~or~~
- C. Any work performed as an incident to or in conjunction with these farm operations, including the packing, drying and storing of these commodities for market, if these operations:

- (1) Are incident to or in conjunction with growing and harvesting farm operations of the same employer; and

- (2) Are not provided as a service for other farm operations or employers; ~~or~~

D. Equine activity, as defined in Title 7, section 4101, subsection 5.

**Sec. 2. Application.** Notwithstanding the Maine Revised Statutes, Title 1, section 302, this Act applies to all cases currently pending before the Workers' Compensation Board on the effective date of this Act.

See title page for effective date.

## CHAPTER 112

### S.P. 320 - L.D. 943

#### **An Act To Amend Provisions of the Law Pertaining to Motor Vehicles**

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

**Sec. 1. 25 MRSA §2106-A**, as amended by PL 1983, c. 862, §73, is repealed and the following enacted in its place:

**§2106-A. Penalties**

A person who violates this chapter or a rule adopted pursuant to this chapter commits a Class D crime, except that if the violation is discovered during a routine compliance review as defined in 49 Code of Federal Regulations, Part 385.3, the violation is a civil violation.

A civil violation under this section is subject to a fine, which must be determined with due consideration of the Federal Motor Carrier Safety Administration's uniform fine assessment program.

**Sec. 2. 29-A MRSA §101, sub-§42**, as amended by PL 2005, c. 577, §5, is further amended to read:

**42. Motor vehicle.** "Motor vehicle" means a self-propelled vehicle not operated exclusively on railroad tracks, but does not include:

A. A snowmobile as defined in Title 12, section 13001;

B. An all-terrain vehicle as defined in Title 12, section 13001, unless the all-terrain vehicle is permitted in accordance with section 501, subsection 8 or is operated on a way and section 2080 applies; and

C. A motorized wheelchair or an electric personal assistive mobility device.

**Sec. 3. 29-A MRSA §101, sub-§80**, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is repealed.

**Sec. 4. 29-A MRSA §101, sub-§86**, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

**86. Trailer.** "Trailer" means a vehicle without motive power, designed to carry persons or property and to be drawn by a motor vehicle, not operated on railroad tracks, and so constructed that no part of its weight rests upon the towing vehicle. "Trailer" does not include tow dollies.

**Sec. 5. 29-A MRSA §101, sub-§91**, as amended by PL 2003, c. 414, Pt. B, §44 and affected by c. 614, §9, is further amended to read:

**91. Vehicle.** "Vehicle" means a device for conveyance of persons or property on a way. "Vehicle" does not include conveyances propelled or drawn by human power or used exclusively on railroad tracks or snowmobiles as defined in Title 12, section 13001 or an electric personal assistive mobility device ~~as defined in this section.~~

**Sec. 6. 29-A MRSA §351, sub-§1, ¶A**, as amended by PL 2001, c. 671, §3, is further amended to read:

A. A traffic infraction for which a ~~forfeiture~~ fine of not more than \$50 may be adjudged if the vehicle was registered and the registration has been expired for more than 30 days but less than 150 days; or

**Sec. 7. 29-A MRSA §351, sub-§6** is enacted to read:

**6. Improper registration.** A traffic infraction for which a fine of not less than \$200 nor more than \$1,000 may be adjudged if the vehicle is not properly registered. For purposes of this subsection, "not properly registered" means the vehicle is either registered in a manner that is not reflective of its current actual use or as a type of vehicle that it is not as a matter of law, including, but not limited to, a motor vehicle registered as an antique auto when the vehicle is not an antique auto as defined in section 101, subsection 3.

**Sec. 8. 29-A MRSA §2077**, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

**§2077. Working on ways**

Sections 2051, 2053, 2055, 2056, 2066, 2068 and 2076 do not apply to a person, ~~team~~, motor vehicle and other equipment actually engaged in work on the surface of a public way, but ~~does~~ do apply to such a person and vehicle when traveling to or from such work.

**Sec. 9. 29-A MRSA §2601, sub-§3-A** is enacted to read:

**3-A. Electronic Violation Summons and Complaint.** Notwithstanding subsection 3, the Chief Judge of the District Court may approve for use an electronic Violation Summons and Complaint form. The electronic Violation Summons and Complaint form must include, at a minimum, an electronic or digital signature of the officer, a brief description of the alleged offense, the time and place of the alleged offense and the date on or before which the person is to file a written answer with the violations bureau.

See title page for effective date.

**CHAPTER 113****S.P. 309 - L.D. 884****An Act To Improve Death Investigations**

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

**Sec. 1. 22 MRSA §3023, first ¶**, as amended by PL 2001, c. 222, §2, is further amended to read:

The Chief Medical Examiner shall appoint medical examiners, who have statewide jurisdiction and serve at the pleasure of the Chief Medical Examiner,