

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 3, 2014 to July 16, 2015**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**OCTOBER 15, 2015**

**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**  
**2015**

**CHAPTER 112**  
**S.P. 448 - L.D. 1243**

**An Act To Make the Law  
Regarding Critical Incident  
Stress Management Teams  
More Beneficial and Effective**

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

**Sec. 1. 25 MRSA §4201, sub-§§1 and 2,** as enacted by PL 2009, c. 289, §1, are amended to read:

**1. Critical incident.** "Critical incident" means a work-related incident that causes or has the potential to cause ~~a law enforcement officer an employee of or emergency dispatcher for a criminal justice agency~~ to experience emotional or physical stress. "Critical incident" includes, but is not limited to, use-of-force encounters that may result in the death of or serious injury to another person or an officer, fatal motor vehicle accidents, child abuse investigations and death investigations.

**2. Critical incident stress management team.** "Critical incident stress management team" means a team composed of members ~~of a state, county or municipal~~ designated by the chief law enforcement officer of a law enforcement agency, ~~or the chief law enforcement officer's designee,~~ that is trained, in accordance with standards established by rule by the Commissioner of Public Safety, to assist and provide support to any person employed by the team's own agency or another ~~law enforcement~~ criminal justice agency who has been involved in a critical incident that may affect, or has affected, the person's work performance or general well-being. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 2. 25 MRSA §4201, sub-§3** is enacted to read:

**3. Criminal justice agency.** "Criminal justice agency" has the same meaning as in Title 16, section 803, subsection 4.

See title page for effective date.

**CHAPTER 113**  
**S.P. 267 - L.D. 737**

**An Act To Amend the Laws  
Regarding Learner's Permits  
and Intermediate Licenses**

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

**Sec. 1. 29-A MRSA §1304, sub-§1, ¶I,** as amended by PL 2013, c. 381, Pt. B, §16, is further amended to read:

I. A person who has been issued a learner's permit may not operate a motor vehicle while using a handheld electronic device or mobile telephone. For the purpose of this paragraph, ~~"mobile telephone" means a device used to access a wireless telephone service~~ the following terms have the following meanings.

(1) "Handheld electronic device" means any handheld electronic device that is not part of the operating equipment of the motor vehicle, including but not limited to an electronic game, device for sending or receiving electronic mail, text messaging device or computer.

(2) "Mobile telephone" means a device used to access a wireless telephone service.

(3) "Operate" means driving a motor vehicle on a public way with the motor running, including while temporarily stationary because of traffic, a traffic light or a stop sign or otherwise stationary. "Operate" does not include operating a motor vehicle with or without the motor running when the operator has pulled the motor vehicle over to the side of, or off, a public way and has halted in a location where the motor vehicle can safely remain stationary.

(4) "Using" means manipulating, talking into or otherwise interacting with a mobile telephone or handheld electronic device.

A person who violates this paragraph commits a traffic infraction.

**Sec. 2. 29-A MRSA §1311, sub-§1, ¶C,** as enacted by PL 2003, c. 286, §4, is amended to read:

C. Operate a motor vehicle while using a handheld electronic device or mobile telephone.

For the purpose of this paragraph, ~~"mobile telephone" means a device used to access a wireless telephone service~~ the following terms have the following meanings.

(1) "Handheld electronic device" means any handheld electronic device that is not part of the operating equipment of the motor vehicle, including but not limited to an electronic game, device for sending or receiving electronic mail, text messaging device or computer.

(2) "Mobile telephone" means a device used to access a wireless telephone service.