

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

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

Augusta, Maine
2015

F. A civilian employee or military member of the department when in the conduct of official duties; ~~or~~

Sec. 3. 37-B MRSA §509, sub-§2, ¶G, as enacted by PL 2005, c. 273, §4, is amended to read:

G. The administrator of the Maine Veterans' Home when in the conduct of official duties; ~~or~~

Sec. 4. 37-B MRSA §509, sub-§2, ¶H is enacted to read:

H. An authorized representative of the Department of Labor when in the conduct of official duties.

See title page for effective date.

CHAPTER 176

H.P. 807 - L.D. 1175

An Act To Amend Maine's Motor Vehicle Statutes

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

Sec. 1. 29-A MRSA §558-A, sub-§2, ¶A, as enacted by PL 2013, c. 530, §4, is amended to read:

A. A person may not violate any provision of the rules of the Department of Public Safety, Bureau of State Police adopted under section 555 that incorporates by reference any of the following federal regulations or that is an amended version of any of the following federal regulations:

- (1) 49 Code of Federal Regulations, Section 390.21 (2007);
- (2) Except as otherwise provided in subsection 1, paragraph C, 49 Code of Federal Regulations, Section 391.41 (2007);
- (3) 49 Code of Federal Regulations, Sections 392.16, 392.22, 392.24, 392.25, 392.33 ~~and~~, 392.71, 392.80 and 392.82 (2007);
- (4) Any section of 49 Code of Federal Regulations, Part 393 (2007); ~~or~~
(4-A) 49 Code of Federal Regulations, Sections 395.3(a)(3)(ii), 395.8(d) and 395.8(i) (2014); or
- (5) 49 Code of Federal Regulations, Part 396, except Sections 396.7 and 396.9 (2007).

Sec. 2. 29-A MRSA §1905-B is enacted to read:

§1905-B. Brake lights

1. Requirement. All factory-installed brake lights or equivalent replacements on a motor vehicle,

trailer or semitrailer must be present and operating properly and must emit a steady red light when a slight pressure is placed on the brake pedal, and the light emitted must be visible for a distance of at least 100 feet behind the vehicle. For purposes of this section, "steady red light" means a red light that is either immediately constant and not pulsating or that pulsates for a short period and then becomes constant.

2. Vehicles used in conjunction. When a vehicle is used in conjunction with another vehicle, only the last vehicle must carry the lights required in subsection 1.

3. Exception for farm tractors. This section does not apply to unregistered farm tractors.

Sec. 3. 29-A MRSA §1921, as amended by PL 1995, c. 584, Pt. B, §7, is further amended to read:

§1921. Viewing of visual content restricted in vehicles

A person may not operate a motor vehicle equipped with in which there is a television viewer, screen or other means of visually video device, other than an allowable device, that is receiving a television broadcast that is or showing video content visible to the operator. This section does not apply to a law enforcement officer using a video camera or other video equipment for law enforcement purposes. For the purposes of this section, "video content" includes, but is not limited to, television broadcasts, recorded video and video streamed through electronic or other means. For purposes of this section, "allowable device" means:

1. Global positioning, navigation or mapping system. A device displaying video content for the purpose of a global positioning, navigation or mapping system;

2. Closed-circuit video monitor. A closed-circuit video monitor that is used to assist the operator while backing up or parking;

3. Device when vehicle is stationary. A device that is capable of operation only when the vehicle is stationary and is automatically disabled whenever the wheels of the vehicle are in motion;

4. Device to enhance operator's view. A device that is used to enhance or supplement the operator's view of the roadway or to assist the operator in object detection; and

5. Part of vehicle's instrumentation. A video display unit that is part of the vehicle's instrumentation or is used for the purpose of vehicle control.

This section does not apply to the use of a video device in the performance of official duties by a law enforcement officer or the operator of an authorized emergency vehicle, as defined in section 2054.

Sec. 4. 29-A MRSA §2061, sub-§1, as amended by PL 1999, c. 183, §10, is further amended to read:

1. Prohibition. A person commits a traffic infraction if that person occupies a camp trailer, mobile home, ~~vehicle being towed by a wrecker or by a motor vehicle using a tow bar~~, semitrailer or trailer while it is being moved on a public way.

Sec. 5. 29-A MRSA §2104, sub-§1-B is enacted to read:

1-B. Permitting display of false registration validation device. A person commits a Class E crime if that person permits to be attached or displayed on a vehicle registration plate a registration validation device issued for another vehicle.

See title page for effective date.

CHAPTER 177

S.P. 450 - L.D. 1245

An Act To Preserve the Efficiency of Transportation Maintenance and Construction Activities

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

Sec. 1. 35-A MRSA §752, sub-§1, as enacted by PL 1995, c. 348, §1, is amended to read:

1. Covered equipment or items. "Covered equipment or items" means any mechanical equipment, hoisting equipment, antenna or boat mast or rigging, any part of which is capable of vertical, lateral or swinging motion that causes any portion of the equipment or item to come within 10 feet of an overhead high-voltage line during erection, construction, operation or maintenance, including, but not limited to, equipment such as cranes, derricks, power shovels, backhoes, dump trucks, drilling rigs, pile drivers, excavating equipment, hay loaders, hay stackers, combines, portable grain augers or elevators and items such as ladders, scaffolds, boat masts and outriggers, houses or other structures in transport and gutters, siding and other construction materials. "Covered equipment or items" also includes traffic lighting.

Sec. 2. 35-A MRSA §752, sub-§4-A is enacted to read:

4-A. Traffic lighting. "Traffic lighting" means a dynamic sign that is capable of electronically displaying a changing message that provides motorists traffic-emergency-related information or means a luminaire, traffic signal or traffic beacon used for traffic control.

Sec. 3. 35-A MRSA §761, sub-§4 is enacted to read:

4. State agencies; quasi-independent state agencies; municipalities. The provisions of sections 756 and 757 do not apply to the installation or maintenance of traffic lighting by an employee of a state agency, quasi-independent state agency or municipality or by a person performing the installation or maintenance on behalf of a state agency, quasi-independent state agency or municipality. Nothing in this subsection exempts a person installing or maintaining traffic lighting from any applicable training certification or licensing requirements for performing the installation or maintenance, and the installation or maintenance must be performed in accordance with all applicable federal, state and local laws, regulations, safety codes and ordinances and any other applicable safety requirements. A municipality or a contractor working for a municipality must maintain any minimum insurance requirements specified by the Department of Transportation. For purposes of this subsection, "quasi-independent state agency" has the same meaning as in Title 5, section 12021, subsection 5.

See title page for effective date.

CHAPTER 178

H.P. 322 - L.D. 483

An Act Regarding the Reporting Standards for Child Abuse

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

Sec. 1. 22 MRSA §4011-A, sub-§7, as enacted by PL 2013, c. 268, §1, is amended to read:

7. Children under 6 months of age or otherwise nonambulatory. A person required to make a report under subsection 1 shall report to the department if a child who is under 6 months of age or otherwise nonambulatory exhibits evidence of the following:

- A. Fracture of a bone;
- B. Substantial bruising or multiple bruises;
- C. Subdural hematoma;
- D. Burns;
- E. Poisoning; or
- F. Injury resulting in substantial bleeding, soft tissue swelling or impairment of an organ.

This subsection does not require the reporting of injuries occurring as a result of the delivery of a child attended by a licensed medical practitioner or the report-