

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

SECOND SPECIAL SESSION
June 19, 2018 to September 13, 2018

THE GENERAL EFFECTIVE DATE FOR
SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
DECEMBER 13, 2018

ONE HUNDRED AND TWENTY-NINTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2018 to June 20, 2019

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 2019

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

Augusta, Maine
2019

Services, Food and Drug Administration and posted on the administration's interstate certified shellfish shippers list, unless authorized under section 6701 or 6702. A person may engage in activities only to the extent authorized by the certificate held by the person. The commissioner may issue a shellfish sanitation certificate to a wholesale seafood license holder or a shellfish transportation license holder that authorizes the holder to undertake the activities expressly authorized therein, which may include buying and selling, shipping, transporting, shucking or other processing of shellfish or whole scallops. A wholesale seafood license or shellfish transportation license is also necessary to undertake the activities authorized under those licenses. A shellfish sanitation certificate does not authorize a person to undertake any of the activities for which a permit is required pursuant to subsection 2-A. Beginning June 1, 2018, the fee for a shellfish sanitation certificate is \$50.

Sec. 4. 12 MRSA §6856, sub-§2-A, ¶D, as enacted by PL 2017, c. 224, §2, is amended to read:

D. A person may not use a vehicle to transport soft-shelled clam shell stock shellstock purchased at a location other than the establishment or vehicle authorized under the license without a shellfish buying station permit. Beginning June 1, 2018, the fee for a shellfish buying station permit is \$100.

See title page for effective date.

CHAPTER 335

H.P. 1256 - L.D. 1769

An Act To Make Various Changes to the Motor Vehicle Laws

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

Sec. 1. 29-A MRSA §101, sub-§27-B is enacted to read:

27-B. Heavy duty recovery vehicle. "Heavy duty recovery vehicle" means a wrecker that:

A. Is designed for the specific purpose of recovering vehicles that have a gross, combined or actual weight of more than 80,000 pounds;

B. Has either 4 or 5 axles;

C. Has a manufacturer's gross vehicle weight rating of 70,000 pounds or more;

D. Is equipped with a recovery boom that is rated for 70,000 pounds or more;

E. Is equipped with an air brake system capable of providing compressed air to the braking or sus-

pension system of a vehicle being towed by the heavy duty recovery vehicle; and

F. Is capable of towing a combination vehicle with a gross weight of more than 99,000 pounds.

Sec. 2. 29-A MRSA §1920, sub-§1, ¶¶C and D, as amended by PL 2013, c. 30, §2, are further amended to read:

C. For a vehicle of 4,501 pounds to 7,500 pounds, 27 28 inches in the front and 29 30 inches in the rear;

D. For a vehicle of 7,501 pounds to 10,000 pounds, 28 30 inches in the front and 30 32 inches in the rear; and

Sec. 3. 29-A MRSA §1920, sub-§1, ¶E, as enacted by PL 2013, c. 30, §2, is amended to read:

E. For a vehicle of 10,001 pounds to 11,500 pounds, 29 31 inches in the front and 31 33 inches in the rear; and

Sec. 4. 29-A MRSA §1920, sub-§1, ¶F is enacted to read:

F. For a vehicle of 11,501 pounds to 13,000 pounds, 32 inches in the front and 34 inches in the rear.

Sec. 5. 29-A MRSA §2054, sub-§2, ¶D, as amended by PL 2017, c. 21, §1, is further amended to read:

D. Except as provided in this paragraph, a vehicle may not be equipped with or display a blue light.

(1) Emergency lights used on the following vehicles must emit a blue light or a combination of blue and white light: a police vehicle, except that a police vehicle may also use red emergency lights under paragraph F; a Department of Corrections vehicle as described in subsection 1, paragraph B, subparagraph (6); a vehicle operated by a chief of police, a sheriff or a deputy sheriff; and a vehicle operated by a qualified deputy sheriff or other qualified individual performing court security-related functions and services.

(2) Emergency lights used on an ambulance, an emergency medical service vehicle, a fire department vehicle or a hazardous material response vehicle may include one blue light mounted facing toward the rear of the vehicle so that the light is primarily visible to approaching traffic from the rear only.

(3) The taillight of a vehicle, or replica of a vehicle, manufactured prior to 1952 and registered under section 457, may contain a blue or purple insert of not more than one inch in diameter.

(4) Blue interior auxiliary lighting or dash lighting may be used on any vehicle if no portion of the beam of light is visible at a height of 42 inches above a surface parallel with the level surface on which the vehicle stands at a distance of 20 feet from any part of the vehicle.

(5) A vehicle owned by the Department of Public Safety may be equipped with blue emergency lighting and a siren, but neither the lighting nor the siren may be displayed or used except when the vehicle is being operated by a law enforcement officer.

Sec. 6. 29-A MRSA §2113, sub-§1-A is enacted to read:

1-A. Rolling coal prohibited. A person may not operate, or cause to have operated, a diesel-powered motor vehicle with a manufacturer's gross vehicle weight rating under 18,000 pounds that emits visible smoke on a public way or parking area because of a permanent or temporary alteration to the air pollution control system of the motor vehicle. For the purposes of this subsection, "air pollution control system" has the same meaning as in section 2111, subsection 1.

Sec. 7. 29-A MRSA §2380, sub-§8, ¶¶B and C, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, are amended to read:

B. Construction equipment used on way and bridge construction projects; ~~and~~

C. A load of loose hay, pea vines, cornstalks or other loosely mounded loads that can not damage structures or threaten public safety; ~~and~~

Sec. 8. 29-A MRSA §2380, sub-§8, ¶D is enacted to read:

D. Snowplows and equipment mounted on a vehicle traveling from one work location to another work location during a snow event, or traveling from the point of purchase to a storage location, as long as the vehicle does not exceed 108 inches in total width. For the purposes of this paragraph, "snow event" means the period beginning 48 hours before a snowstorm and ending 48 hours after the snowstorm.

Sec. 9. 29-A MRSA §2382, sub-§5, as amended by PL 2011, c. 556, §22, is further amended to read:

5. Long-term permits. The Secretary of State may grant permits for up to one year for trucks, truck tractors, semitrailers, heavy duty recovery vehicles and Class A special mobile equipment. Notwithstanding Title 5, section 8071, subsection 2, paragraph A, the Secretary of State, in consultation with the Commissioner of Transportation, shall establish the fee schedule by rule. Rules adopted pursuant to this subsection

are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

CHAPTER 336

H.P. 1260 - L.D. 1773

An Act To Clarify Bonding Authority for School Management and Leadership Centers

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

Sec. 1. 20-A MRSA §3802, sub-§12, as enacted by PL 2017, c. 284, Pt. VVVVV, §6, is amended to read:

12. Bonding authority; debt limitation; allocation and payment of approved debt. A school management and leadership center may issue bonds and notes for school construction purposes. For purposes of this section, "school construction purposes" includes minor capital costs relating to maintenance of a school's physical plant. The school management and leadership center board shall decide whether the issuance of bonds or notes by the school management and leadership center for school construction purposes is necessary. The board shall determine whether the issuance of bonds or notes is authorized, and, if so, the board shall issue the bonds or notes and administer the proceeds of, and the payment of principal of and interest on, those bonds or notes after issuance. A school management and leadership center may issue bonds and notes for school construction purposes only under the provisions of the interlocal agreement under section 3801, subsection 3. Upon receiving authorization to issue bonds or notes under the election procedures of the interlocal agreement, the board shall follow the requirements of section 1490 for issuing bonds or notes of the school management and leadership center.

A. Indebtedness of a school management and leadership center for school construction purposes may not exceed 4% of the total state valuation of the participating municipalities. For purposes of this section, "participating municipalities" of a school management and leadership center includes all municipal school units that are members of the school management and leadership center and the municipalities constituting the other members of the school management and leadership center. The debt limitation is determined as of the date the state board issues a project concept approval or in the case of a nonstate funded project the date the commissioner approves the project under section 15905-A. Debt of a school management and leadership center is outside the