

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-FIRST LEGISLATURE

FIRST REGULAR SESSION
December 7, 2022 to March 30, 2023

FIRST SPECIAL SESSION
April 5, 2023 to July 26, 2023

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NONEMERGENCY LAWS IS
JUNE 29, 2023

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NONEMERGENCY LAWS IS
OCTOBER 25, 2023

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

Augusta, Maine
2023

**CHAPTER 301
H.P. 455 - L.D. 686**

**An Act to Enhance Safety for
Animal-drawn Vehicles on
Highways**

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

Sec. 1. 29-A MRSA §1909-C, as enacted by PL 2019, c. 170, §2, is amended to read:

§1909-C. Animal-drawn vehicles

An animal-drawn vehicle operated on a public way ~~during nighttime~~ must be equipped with the following:

1. Light. ~~During nighttime, an~~ oil lantern or electric lights attached to the left side of the vehicle that displays a red light toward the rear of the vehicle and a white light toward the front of the vehicle; and

2. Reflective tape. ~~Grade DOT C2 white reflective tape as described in 49 Code of Federal Regulations, Section 571.108, in effect on March 26, 2019, applied to the vehicle as follows:~~

~~A. Seventy two inches of reflective tape applied in segments that outline the rear frame of the vehicle;~~

~~B. Thirty six inches of reflective tape on each side of the vehicle, applied in segments that outline the frame on each side with at least 2 segments applied to the upper borders; and~~

~~C. Forty two inches of reflective tape applied in segments that outline the front frame of the vehicle.~~

3. Reflective gear. At all times, one of the following:

A. Grade DOT-C2 white reflective tape as described in 49 Code of Federal Regulations, Section 571.108, in effect on March 26, 2019, applied to the vehicle as follows:

(1) Seventy-two inches of reflective tape applied in segments that outline the rear frame of the vehicle;

(2) Thirty-six inches of reflective tape on each side of the vehicle, applied in segments that outline the frame on each side with at least 2 segments applied to the upper borders; and

(3) Forty-two inches of reflective tape applied in segments that outline the front frame of the vehicle; or

B. A slow-moving vehicle emblem on the rear of the vehicle.

See title page for effective date.

**CHAPTER 302
H.P. 375 - L.D. 598**

**An Act to Require a Vehicle
Operator to Notify an Owner
or Law Enforcement Officer of
an Accident Involving a Dog, a
Cat or Livestock**

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

Sec. 1. 29-A MRSA §2255, sub-§1, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

1. Notification. The operator of a vehicle involved in an accident anywhere that results in property damage shall take reasonable steps to notify the owner of that property of the accident. For the purposes of this section, "property damage" includes damage to real and personal property, including but not limited to the injury or death of a dog, a cat or livestock.

Sec. 2. 29-A MRSA §2255, sub-§2, as amended by PL 2013, c. 291, §4, is further amended by enacting at the end a new first blocked paragraph to read:

If the accident results in the injury or death of a dog, a cat or livestock, the property owner cannot be located and a report of the accident is not required under section 2251, the operator shall take reasonable steps to immediately report the injury or death to a law enforcement officer or the animal control officer for the municipality or region where the property damage occurred.

See title page for effective date.

**CHAPTER 303
H.P. 1124 - L.D. 1745**

**An Act to Support Public
Health by Clarifying
Authorized Activities
Regarding Drug Checking**

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Distribution of Harm Reduction Access in Rural Maine Areas program, also known as Project DHARMA, is funded by federal grants and is ready for implementation except there are barriers of liability related to transportation and testing of drug samples and paraphernalia; and

Whereas, there is an urgent need for testing and drug checking due to increasingly dangerous substances in the drug supply; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 22 MRSA §2383-B, sub-§2, ¶E, as amended by PL 2021, c. 434, §10, is further amended to read:

E. Physicians, dentists, podiatrists, pharmacists or other persons authorized by law or rule to administer, dispense, prescribe or sell scheduled or prescription drugs or controlled substances while acting within the course of their professional practice; and

Sec. 2. 22 MRSA §2383-B, sub-§2, ¶G, as enacted by PL 2013, c. 266, §10, is amended to read:

G. Persons conducting research at a school of pharmacology that is accredited or is a candidate for accreditation in good standing; and

Sec. 3. 22 MRSA §2383-B, sub-§2, ¶H is enacted to read:

H. Persons possessing, receiving, transporting or storing one or more drug samples contained in one or more sample collection instruments or drug paraphernalia for the purpose of drug checking. Possessing, receiving, transporting or storing one or more drug samples in accordance with this paragraph does not constitute a crime under Title 17-A, sections 1103, 1104 and 1106.

Sec. 4. 22 MRSA §2383-B, sub-§3, ¶A-3 is enacted to read:

A-3. "Controlled substance analog" means a substance that has a substantially similar chemical structure to that of a controlled substance.

Sec. 5. 22 MRSA §2383-B, sub-§3, ¶A-4 is enacted to read:

A-4. "Drug checking" means the testing of a controlled substance, prescription drug or scheduled drug to determine its chemical composition or to assist in determining whether it contains contaminants, toxic substances or hazardous compounds.

Sec. 6. 22 MRSA §2383-B, sub-§3, ¶A-5 is enacted to read:

A-5. "Drug paraphernalia" has the same meaning as in Title 17-A, section 1111-A, subsection 1.

Sec. 7. 22 MRSA §2383-B, sub-§3, ¶A-6 is enacted to read:

A-6. "Drug sample" means a substance containing one or more scheduled or prescription drugs or controlled substances or controlled substance analogs in an amount insufficient to result in a person possessing the substance to be in violation of Title 17-A, section 1107-A.

Sec. 8. 22 MRSA §2383-B, sub-§3, ¶B-2 is enacted to read:

B-2. "Person" means any individual, partnership, association, cooperative, limited liability company, trust, joint venture, government, political subdivision or any other legal, commercial or informal entity or group.

Sec. 9. 22 MRSA §2383-B, sub-§3, ¶C-1 is enacted to read:

C-1. "Sample collection instrument" means an instrument used to collect a drug sample for purposes of drug checking.

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

Effective June 26, 2023.

CHAPTER 304

S.P. 809 - L.D. 1980

An Act to Improve Election Laws and Notarial Laws

Emergency preamble. **Whereas**, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the effective date of the provisions regarding a marriage officiant license and communication technology used to perform remote or electronic notarization, for which the fees in this legislation are related, is July 1, 2023; and

Whereas, the fees should be in place when those provisions become effective; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

PART A

Sec. A-1. 21-A MRSA §122-A, as amended by PL 2019, c. 409, §1 and affected by §9, is further amended to read: