

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1991

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Legislative Document

No. 1435

H.P. 990

House of Representatives, April 4, 1991

Reported by Representative MACOMBER for the Joint Standing Committee on Transportation pursuant to Public Law 1989, chapter 707, section 5.

Reference to the Joint Standing Committee on Transportation suggested and printing ordered under Joint Rule 18.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

---

STATE OF MAINE

---

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-ONE

---

**An Act to Clarify Use of Motor Vehicle Auxiliary Lights and Emergency Signals.**

---



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

4 **Sec. 1. 29 MRSA §1, sub-§1-B,** as amended by PL 1985, c. 108,  
§8, is repealed.

6 **Sec. 2. 29 MRSA §946,** as amended by PL 1989, c. 707, §1, is  
repealed.

8 **Sec. 3. 29 MRSA §946-A,** as amended by PL 1989, c. 707, §§2  
10 and 3, is repealed.

12 **Sec. 4. 29 MRSA §946-B,** as enacted by PL 1989, c. 707, §4, is  
repealed.

14 **Sec. 5. 29 MRSA §946-C** is enacted to read:

16 **§946-C. Emergency and auxiliary lights; sirens; privileges**

18 **1. Definitions.** As used in this section, unless the  
20 context otherwise indicates, the following terms have the  
22 following meanings.

24 A. "Ambulance" means any vehicle designed, constructed and  
routinely used or intended to be used for the transportation  
26 of ill or injured persons and licensed by Maine Emergency  
Medical Services pursuant to Title 32, chapter 2-B.

28 B. "Authorized emergency vehicle" means any one of the  
following vehicles:

30 (1) An ambulance;

32 (2) A Baxter State Park Authority vehicle operated by  
34 a Baxter State Park ranger;

36 (3) A Bureau of Marine Patrol vehicle operated by a  
coastal warden;

38 (4) A Department of Conservation vehicle operated by a  
40 forest ranger;

42 (5) A Department of Conservation vehicle used for  
44 forest fire control;

46 (6) A Department of Corrections vehicle used for  
responding to committed offender escapes or performing  
48 high-security transfers of committed offenders;

50 (7) A Department of Inland Fisheries and Wildlife  
vehicle operated by a warden;

2           (8) A Department of Public Safety vehicle operated by  
4           a liquor enforcement officer for the purpose of  
6           enforcing section 1312-B or Title 28-A, a state fire  
8           inspector or a Bureau of Intergovernmental Drug  
10           Enforcement officer;

12           (9) An emergency medical service vehicle;

14           (10) A fire department vehicle;

16           (11) A hazardous material response vehicle;

18           (12) A railroad police vehicle;

20           (13) A sheriff's department vehicle;

22           (14) A State Police or municipal police department  
24           vehicle;

26           (15) A vehicle operated by a chief of police, a  
28           sheriff or a deputy sheriff when authorized by the  
30           sheriff;

32           (16) A vehicle operated by a municipal fire inspector,  
34           a municipal fire chief, an assistant or deputy chief or  
36           a town forest fire warden;

38           (17) A vehicle operated by a qualified deputy sheriff  
40           or other qualified individual to perform court  
42           security-related functions and services as authorized  
44           by the State Court Administrator pursuant to Title 4,  
46           section 17, subsection 15; or

48           (18) A Federal Government vehicle operated by a  
50           federal law enforcement officer.

52           C. "Auxiliary light" means a light, other than standard  
          equipment lighting such as headlights, taillights,  
          directional signals, brake lights, clearance lights, parking  
          lights and license plate lights, that is displayed on a  
          vehicle and used to increase the operator's visibility of  
          the road or the visibility of the vehicle to other operators  
          and pedestrians.

D. "Emergency light" means an auxiliary light displayed and  
          used on an authorized emergency vehicle to distinguish it  
          and make it recognizable as an authorized emergency vehicle.

E. "Emergency medical service vehicle" means a vehicle  
          equipped and used to transport emergency medical personnel  
          or equipment to ill or injured persons and authorized by  
          Maine Emergency Medical Services.

2           F. "Fire vehicle" means any vehicle listed under paragraph  
3           B, subparagraph (5) or (16).

4  
5           G. "Hazardous material response vehicle" means a vehicle  
6           equipped for and used in response to reports of emergencies  
7           resulting from actual or potential releases, spills or leaks  
8           of, or other exposure to, hazardous substances that is  
9           authorized by a mutual aid agreement pursuant to Title 37-B,  
10          section 795, subsection 3 and coordinated with the  
11          appropriate municipal public safety agencies.

12  
13          H. "Highway maintenance vehicle" means a vehicle used to  
14          maintain the highways, including, but not limited to, a  
15          plow, grader, sand truck, sweeper and tar truck.

16  
17          I. "Police vehicle" means any vehicle listed under  
18          paragraph B, subparagraph (2), (3), (4), (7), (8), (12),  
19          (13), (14) or (18).

20  
21          2. Authorized lights. Authorized lights are governed as  
22          follows.

23          A. Only an ambulance; an emergency medical service vehicle;  
24          a fire department vehicle; a police vehicle; a Department of  
25          Conservation vehicle used for forest fire control; a  
26          Department of Corrections vehicle as described in subsection  
27          1, paragraph B, subparagraph (6); and a highway maintenance  
28          vehicle may be equipped with a device that provides for  
29          alternate flashing of the vehicle's headlights.

30  
31          B. Only a police vehicle may be equipped with a device that  
32          provides for alternate flashing of the vehicle's brake or  
33          rear directional lights and back-up lights.

34  
35          C. The following vehicles may be equipped with amber lights.

36  
37                  (1) A vehicle engaged in highway maintenance or in  
38                  emergency rescue operations by civil defense and public  
39                  safety agencies and a public utility emergency service  
40                  vehicle may be equipped with auxiliary lights that emit  
41                  an amber light.

42  
43                  (2) A wrecker must be equipped with a flashing light  
44                  mounted on top of the vehicle in such a manner as to  
45                  emit an amber light over a 360° angle. The light must  
46                  be in use on a public way or a place where public  
47                  traffic may reasonably be anticipated when servicing,  
48                  freeing, loading, unloading or towing a vehicle.

49  
50                  (3) A vehicle engaged in snow removal or sanding  
51                  operations on a public way must be equipped with and  
52

2 display at least 2 auxiliary lights mounted on the  
3 highest practical point on the vehicle, one showing to  
4 the front and one to the rear of the vehicle. The  
5 lights must emit an amber light, be at least 6 inches  
6 in diameter and be equipped with blinking attachments.  
7 In lieu of the lights specified, a vehicle may be  
8 equipped with at least one auxiliary rotating flashing  
9 light having 4-inch sealed beams and showing amber  
10 light over a 360° range. When the left wing of a plow  
11 is in operation and extends over the center of the  
12 road, an auxiliary light must show the extreme end of  
13 the left wing. That light may be attached to the  
14 vehicle so that the beam of light points at the left  
15 wing.

16 (4) A vehicle equipped and used for plowing snow on  
17 other than public ways may be equipped with an  
18 auxiliary flashing light mounted on top of the vehicle  
19 in such a manner as to emit an amber light over a 360°  
20 angle. The lighting may only be in use when the  
21 vehicle is entering the public way in the course of  
22 plowing private driveways and other off-highway  
23 locations.

24 (5) A rural mail vehicle may be equipped with  
25 auxiliary lights.

26 (a) The lights used to the front must be white or  
27 amber, or any shade between white and amber.

28 (b) The lights used to the rear must be amber or  
29 red, or any shade between amber and red.

30 (c) The lights, whether used to the front or  
31 rear, must be mounted at the same level and as  
32 widely spaced laterally as possible.

33 (d) The lights, whether used to the front or  
34 rear, must flash simultaneously.

35 (e) The lights must be visible from a distance of  
36 at least 500 feet under normal atmospheric  
37 conditions at night.

38 D. Emergency lights used on a police vehicle; a Department  
39 of Corrections vehicle as described in subsection 1,  
40 paragraph B, subparagraph (6); a vehicle operated by a chief  
41 of police, a sheriff or a deputy sheriff; and a vehicle  
42 operated by a qualified deputy sheriff or other qualified  
43 individual performing court security-related functions and  
44 services must emit a blue light or a combination of blue and  
45 red light.

2 white light. No other vehicle may be equipped with or  
3 display a blue light.

4 E. Two fog or auxiliary lights, which must emit amber or  
5 white light, may be mounted on a motor vehicle. The rays  
6 from the lights may not shine more than 2 feet above the  
7 road at a distance of 30 feet. A fog or auxiliary light  
8 mounted higher than the center of the main headlights may  
9 not be illuminated while a motor vehicle is being operated  
10 on any public way.

11 F. Only vehicles listed in this paragraph, rural mail  
12 vehicles and school buses may be equipped with, display or  
13 use a red auxiliary or emergency light.

14 (1) Emergency lights used on an ambulance, an  
15 emergency medical service vehicle, a fire department  
16 vehicle, a fire vehicle or a hazardous material  
17 response vehicle must emit a red light or a combination  
18 of red and white light.

19 (2) The municipal officers, when approved by the fire  
20 chief, may authorize an active member of a municipal or  
21 volunteer fire department to use a flashing red signal  
22 light not more than 5 inches in diameter on a vehicle.  
23 The light may be displayed but may be used only while  
24 the member is en route to or at the scene of a fire or  
25 other emergency. The light must be mounted as near as  
26 practicable above the registration plate on the front  
27 of the vehicle or on the dashboard. A light mounted on  
28 the dashboard must be shielded so that the emitted  
29 light does not interfere with the operator's vision.

30 (3) Members of an emergency medical service licensed  
31 by Maine Emergency Medical Services may display and use  
32 on a vehicle a flashing red signal light of the same  
33 proportion, in the same location and under the same  
34 conditions as those permitted municipal and volunteer  
35 firefighters, when authorized by the chief official of  
36 the emergency medical service.

37 G. A vehicle may be equipped with a spotlight. Only  
38 spotlights on authorized emergency vehicles, highway  
39 maintenance vehicles and public utility vehicles may be used  
40 on a public way, except any vehicle may use a spotlight in  
41 cases of necessity when other lights required by law fail to  
42 operate.

43 H. A vehicle may not be equipped with or use lights other  
44 than those specifically authorized or required by this Title.  
45

2           3. Sirens. A bell or siren may not be installed or used on  
any vehicle, except an authorized emergency vehicle.

4           4. Right-of-way. An authorized emergency vehicle operated  
in response to, but not returning from, a call or fire alarm or  
6           operated in pursuit of an actual or suspected violator of the law  
has the right-of-way when emitting a visual signal using an  
8           emergency light and an audible signal using a bell or siren. On  
the approach of any such vehicle, the operator of every other  
10          vehicle shall immediately draw that vehicle as near as  
practicable to the right-hand curb, parallel to the curb and  
12          clear of any intersection and bring it to a standstill until the  
authorized emergency vehicle has passed.

14          5. Exercise of privileges. The operator of an authorized  
16          emergency vehicle when responding to, but not upon returning  
from, an emergency call or fire alarm or when in pursuit of an  
18          actual or suspected violator of the law may exercise the  
privileges set forth in this subsection. The operator of an  
20          authorized emergency vehicle may:

22           A. Park or stand, notwithstanding the provisions of this  
chapter;

24           B. Proceed past a red signal, stop signal or stop sign, but  
only after slowing down as necessary for safe operation;

28           C. Exceed the maximum speed limits as long as life or  
property is not endangered;

30           D. Disregard regulations governing direction of movement or  
turning in specified directions; and

34           E. Proceed with caution past a stopped school bus that has  
red lights flashing only;

36                   (1) After coming to a complete stop; and

38                   (2) When signaled by the school bus operator to  
40                   proceed.

42          6. Emergency lights and audible signals. The operator of  
an authorized emergency vehicle who is exercising the privileges  
44          granted under subsection 5 shall use an emergency light  
authorized by subsection 2. The operator of an authorized  
46          emergency vehicle who is exercising the privileges granted under  
subsection 5, paragraphs B, C, D and E shall sound a bell or  
48          siren when reasonably necessary to warn pedestrians and other  
operators of the emergency vehicle's approach.

50          7. Duty to drive with due regard for safety. Subsections  
52          4, 5 and 6 do not relieve the operator of an authorized emergency

2 vehicle from the duty to drive with due regard for the safety of  
3 all persons, nor do those subsections protect the operator from  
4 the consequences of the operator's reckless disregard for the  
5 safety of others.

6 **Sec. 6. 29 MRSA §1362, 2nd ¶**, as amended by PL 1989, c. 32,  
7 §2, is further amended to read:

8  
9 No signaling device may be unnecessarily sounded nor any  
10 braking or acceleration unnecessarily made so as to cause a  
11 harsh, objectionable or unreasonable noise. ~~No bell or siren may~~  
12 ~~be installed or used on any motor vehicle, except that fire and~~  
13 ~~police department vehicles and ambulances and vehicles operated~~  
14 ~~by state, city and town fire inspectors, city and town fire~~  
15 ~~chiefs, assistant fire chiefs, police chiefs and assistant police~~  
16 ~~chiefs may be so equipped for use only when responding to~~  
17 ~~emergency calls; motor vehicles used by forest rangers or~~  
18 ~~personnel engaged in forest fire control as may be designated by~~  
19 ~~the Department of Conservation; motor vehicles used by sheriffs~~  
20 ~~and deputy sheriffs; motor vehicles used by inland fisheries and~~  
21 ~~game wardens as may be designated by the Department of Inland~~  
22 ~~Fisheries and Wildlife; motor vehicles used by coastal wardens as~~  
23 ~~may be designated by the Department of Marine Resources; motor~~  
24 ~~vehicles used by United States Government law enforcement~~  
25 ~~officials; motor vehicles used by a state or municipal department~~  
26 ~~which controls or supervises electrical alarm and communication~~  
27 ~~systems may be so equipped for use as provided by law; and motor~~  
28 ~~vehicles used by corrections personnel as may be designated by~~  
29 ~~the Department of Corrections may be so equipped for use only~~  
30 ~~when responding to committed offender escapes or performing~~  
31 ~~high security transfers of committed offenders.~~

32 **Sec. 7. 29 MRSA §1461** is repealed.

33 **Sec. 8. 29 MRSA §1462**, as repealed and replaced by PL 1989,  
34 c. 50, is repealed.

35 **Sec. 9. 29 MRSA §1463** is repealed.

## 42 STATEMENT OF FACT

43 This bill clarifies the display and use of auxiliary and  
44 emergency lights by repealing the sections in the Maine Revised  
45 Statutes, Title 29 that refer to such lights and enacting the  
46 provisions of these sections in one new section. The bill also  
47 consolidates the sections on right-of-way, exercise of privileges  
48 and use of sirens by authorized emergency vehicles.

STATE OF MAINE  
115TH LEGISLATURE

LEGISLATIVE NOTICES

Transportation Committee

Thursday, May 16, 1991 - 1:00 p.m.  
Room 122, State Office Building

Committee PH - 289-4148

- (L.D. 1538) Bill "An Act to Amend the Laws Governing License Plates and Placards for Disabled Veterans" (S.P. 585) (Presented by Senator McCORMICK of Kennebec) (Cosponsored by Representative JALBERT of Lisbon)
- (L.D. 1623) Bill "An Act Concerning Responsibility of Motor Vehicle Owners for Registration" (S.P. 619) (Presented by Senator MILLS of Oxford) (Cosponsored by Representative BOUTILIER of Lewiston and Representative HALE of Sanford)
- (L.D. 1601) Bill "An Act Regarding the Issuance of Special Plates for Rescue Unit Workers and Providers of Emergency Medical Services" (H.P. 1102) (Presented by Representative WATERMAN of Buxton) (Cosponsored by Representative CARROLL of Gray and Representative KERR of Old Orchard Beach)
- (L.D. 1681) Bill "An Act to Amend the Motor Vehicle Laws" (S.P. 633) (Presented by Senator MILLS of Oxford) (Cosponsored by Representative BOUTILIER of Lewiston) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.)
- (L.D. 1435) Bill "An Act to Clarify Use of Motor Vehicle Auxiliary Lights and Emergency Signals" (H.P. 990) (Submitted by the Joint Standing Committee on Transportation pursuant to Public Law 1989, chapter 707, section 5.)

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Contact: Joan Colford  
State House Station 115  
Augusta, ME 04333

289-4148

To appear in your paper on Sunday, May 12, 1991

115th LEGISLATURE

COMMITTEE ON TRANSPORTATION LD 1435

NAME	TOWN/AFFILIATION	FAVOR	OPPOSE	NEITHE
1. Rep. Harold Macomber	South Portland	X		
2. Lt. Col. Alfred Skolfield	Maine State Police	X		
3. Arthur Boivin	Chief - Rumford Fire Dept.	X		
4. Eugene Boivin	Retired Rumford Fire Chief	X		
5. Jay Bradshaw	Assistant Director Maine EMS	X		
6. Rep. Ida Luther	Mexico	X		
7. Bob Oxton	Camden Fire Chief and Maine Fire Chiefs Association		X	
8. Chief Fournier	Waterville & Maine Fire Chiefs Association		X	
9. Kevin McInnis	Maine EMS			X
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	NAME	TOWN/AFFILIATION	FAVOR	OPPOSE	NEITHE
1.	Arthur Davis	Beverly Hills			
2.	Clarence Brown	Bunford			
3.	M. La Lutz		✓		
4.	BOB OXTON	CAMDEN <u>MPCA</u>		X	
5.	Paul Green	Waterville		X	
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Testimony of Lt. Col. Alfred R. Skolfield  
Maine State Police

(Supporting) L.D. 1435

An Act to Clarify Use of Motor Vehicle Auxiliary  
Lights and Emergency Signals

BEFORE THE JOINT STANDING COMMITTEE ON TRANSPORTATION

SPONSORED BY: The Joint Standing Committee

HEARING DATE: May 16, 1991, S.O.B., Room 122, 9:00 a.m.

THE BUREAU OF STATE POLICE SUPPORTS L.D. 1435, AN ACT TO CLARIFY USE OF MOTOR VEHICLE AUXILIARY LIGHTS AND EMERGENCY SIGNALS.

THE BILL IS THE RESULT OF A STUDY WHICH WAS CONDUCTED AT THE DIRECTION OF THIS COMMITTEE. THE BUREAU OF STATE POLICE, FIRE MARSHAL'S OFFICE, DEPARTMENT OF CORRECTIONS, DIVISION OF FOREST FIRE CONTROL AND THE OFFICE OF EMERGENCY MEDICAL SERVICES WERE REPRESENTED ON THE STUDY COMMITTEE ITSELF. WE RECEIVED INPUT FROM MANY FACTIONS OF THE VARIOUS EMERGENCY RESPONSE AGENCIES IN THE STATE. WHERE PRACTICABLE, THE SUGGESTIONS WERE INCORPORATED INTO THE BILL.

EARLIER IN THE SESSION, COPIES OF THE STUDY COMMITTEE'S REPORT WERE DISTRIBUTED TO YOU. RATHER THAN GOING THROUGH THE BILL SECTION BY SECTION, I WOULD DIRECT YOUR ATTENTION TO THAT REPORT WHICH EXPLAINS THE CONTENT OF THE BILL.

IF YOU HAVE ANY SPECIFIC QUESTIONS, I WOULD BE HAPPY TO ANSWER THEM NOW OR AT THE WORK SESSION.



**LD 1435:**

**An Act to Clarify Use of Motor Vehicle Auxiliary Lights and Emergency Signals.**

Statement by: Jay Bradshaw, Assistant Director, Maine EMS

Maine EMS and the Board of EMS **support** this bill and would like to take this opportunity to focus on the parts of this bill that most directly affect EMS providers.

As many of you are aware, this bill has been “in the works” for the last 2 sessions. During these years, the various components of the bill have been torn apart, analyzed and now re-assembled in LD 1435.

Line 49 on page 2 refers to an “emergency medical services vehicle.” This is slightly different from the current definition of ambulance as it will extend the same privileges to EMS vehicles authorized by Maine EMS that may be used to carry equipment, but not patients. Many other states use this type of vehicle to provide advanced life support personnel and equipment to an extended area. Under current Maine law, in order to provide this type of coverage a service must use an ambulance; however, ambulances now cost well in excess of \$50,000, and have much higher operating costs than a non-patient transporting vehicle.

Line 34 on page 5 begins a section that will expand the use of a single red warning light to EMS persons who are not part of a volunteer fire department. Many rural EMS providers are not part of a fire department and do respond in their private vehicles. Extending this privilege to all EMS providers will correct an unfortunate shortcoming in the current law.

Line 42 on page 6 begins a section that extends to police and fire vehicles the authority to use warning a siren when necessary to warn others, but does not require an audible signal when it would be unnecessary or ineffective. This privilege was granted to ambulances (but not police or fire vehicles) in the last legislative session. It certainly seems appropriate to now expand this to include these other emergency vehicles.

MAINE EMERGENCY MEDICAL SERVICES  
353 WATER STREET  
AUGUSTA, MAINE 04330  
207-289-3953  
FAX 207-289-6251



# Maine Fire Chiefs Association

Local Government Center  
37 Community Drive  
Augusta, Maine 04330  
1-800-452-8786

January 24, 1991

Senator Raynold Theriault  
Chairman, Transportation Committee  
State House Station #3  
Augusta, ME 04333

Ref: An Act to Clarify Use of Motor Vehicle  
Auxiliary Lights and Emergency Signals

Dear Senator Theriault:


The Maine Fire Chiefs Association took a vote at a regular meeting of the Association held in Bangor on December 10, 1991, that we do not endorse anyone having a red emergency light except the Fire Service.

Hazardous material vehicles not belonging to a fire department should run only yellow warning lights. There are too many private organizations that deal with hazardous materials; whether it's containment, decontamination, cleanup or transportation. The added red lights impacting the driving public would be burdensome. The end result would be the public ignoring the red lights and failing to yield for emergency fire department vehicles.

In addition, the Maine Fire Chiefs were polled on the section regarding private ambulance service personnel's private vehicles. This again would be a big mistake due to the large number of members in these organizations, plus there isn't even an agency authorized to give permits for these private vehicles under this proposed bill.

Your reconsideration in these two matters would be greatly appreciated.

Yours truly,

  
Bruce F. Kigas, President  
Maine Fire Chiefs Association

2 F. "Fire vehicle" means any vehicle listed under paragraph  
4 B, subparagraph (5) or (16).

6 G. "Hazardous material response vehicle" means a vehicle  
8 equipped for and used in response to reports of emergencies  
10 resulting from actual or potential releases, spills or leaks  
12 of, or other exposure to, hazardous substances that is  
14 authorized by a mutual aid agreement pursuant to Title 37-B,  
16 section 795, subsection 3 and ~~coordinated with the~~

*appropriate municipal public safety agencies approved by the local  
emergency planning committee or committees whose jurisdiction includes*

18 H. "Highway maintenance vehicle" means a vehicle used to  
20 maintain the highways, including, but not limited to, a  
22 plow, grader, sand truck, sweeper and tar truck.

*the area in which the vehicle will operate*

24 I. "Police vehicle" means any vehicle listed under  
26 paragraph B, subparagraph (2), (3), (4), (7), (8), (12),  
28 (13), (14) or (18).

30 2. Authorized lights. Authorized lights are governed as  
32 follows.

34 A. Only an ambulance; an emergency medical service vehicle;  
36 a fire department vehicle; a police vehicle; a Department of  
38 Conservation vehicle used for forest fire control; a  
40 Department of Corrections vehicle as described in subsection  
42 1, paragraph B, subparagraph (6); and a highway maintenance  
44 vehicle may be equipped with a device that provides for  
46 alternate flashing of the vehicle's headlights.

48 B. Only a police vehicle may be equipped with a device that  
50 provides for alternate flashing of the vehicle's brake or  
52 rear directional lights and back-up lights.

C. The following vehicles may be equipped with amber lights.

(1) A vehicle engaged in highway maintenance or in  
emergency rescue operations by civil defense and public  
safety agencies and a public utility emergency service  
vehicle may be equipped with auxiliary lights that emit  
an amber light.

(2) A wrecker must be equipped with a flashing light  
mounted on top of the vehicle in such a manner as to  
emit an amber light over a 360° angle. The light must  
be in use on a public way or a place where public  
traffic may reasonably be anticipated when servicing,  
freeing, loading, unloading or towing a vehicle.

(3) A vehicle engaged in snow removal or sanding  
operations on a public way must be equipped with and

R. of S.  
COPY

L.D. 1435

(Filing No. H- )

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
115TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " " to H.P. 990, L.D. 1435, Bill, "An Act to Clarify Use of Motor Vehicle Auxiliary Lights and Emergency Signals"

Amend the bill in section 5 in that part designated "~~§946-C.~~" in subsection 1 in paragraph B by striking out all of subparagraph (6) and inserting in its place the following:

'(6) A Department of Corrections vehicle used for responding to the escape of or performing the high-security transfer of a prisoner, juvenile client or juvenile detainee;'

Further amend the bill in section 5 in that part designated "~~§946-C.~~" in subsection 1 in paragraph G in the last 2 lines (page 3, lines 10 and 11 in L.D.) by striking out the following: "coordinated with the appropriate municipal public safety agencies" and inserting in its place the following: 'approved by the local emergency planning committee or committees whose jurisdiction includes the area in which the vehicle operates'

Further amend the bill in section 5 in that part designated "~~§946-C.~~" in subsection 2 in paragraph C by striking out the first line (page 3, line 36 in L.D.) and inserting in its place the following:

'C. The use of amber lights on vehicles is governed by the following.'

Further amend the bill in section 5 in that part designated "~~§946-C.~~" in subsection 2 in paragraph C in subparagraph (4) in the 5th line (page 4, line 20 in L.D.) by inserting after the following: "angle" the following: ', or an amber strobe, or combination of strobes, that emits as a minimum a beam of 1,000,000 candlepower and that provides visible light coverage over a 360° range'

COMMITTEE AMENDMENT " " to H.P. 990, L.D. 1435

2 Further amend the bill in section 5 in that part designated  
3 "~~§946-C.~~" in subsection 2 in paragraph F in the 2nd line (page 5,  
4 line 13 in L.D.) by inserting after the following: "vehicles"  
5 the following: 'as provided in paragraph C, subparagraph (5)'

6 Further amend the bill in section 5 in that part designated  
7 "~~§946-C.~~" in subsection 2 by striking out all of paragraph H.

8  
9 Further amend the bill in section 5 in that part designated  
10 "~~§946-C.~~" in subsection 5 in paragraph C in the last line (page  
11 6, line 29 in L.D.) by inserting after the following:  
12 "endangered" the following: ', except that employees of the  
13 Department of Corrections may not exercise this privilege'

14 Further amend the bill by inserting after section 6 the  
15 following:

16  
17 'Sec. 7. 29 MRSA §1367-B, as amended by PL 1991, c. 61, §1,  
18 is repealed.'

19  
20 Further amend the bill by striking out all of section 8 and  
21 inserting in its place the following:

22  
23 'Sec. 8. 29 MRSA §1462, as amended by PL 1991, c. 61, §§2 and  
24 3, is repealed.'

25  
26 Further amend the bill by renumbering the sections to read  
27 consecutively.

30

### STATEMENT OF FACT

32

33 This amendment makes several minor changes in the bill. The  
34 amendment clarifies the use of Department of Corrections vehicles  
35 in emergency situations and clarifies the definition of a  
36 hazardous material response vehicle. The amendment incorporates  
37 statutory language enacted earlier this session into the bill and  
38 makes other technical changes.

VOTING TALLY SHEET

Committee: TRANSPORTATION

Date: MAY 17, 1991

Question: L.D. 1435 - OUGHT TO PASS AS AMENDED

Motion by: Sen. Mills

Seconded: Sen. Theriault

	Yea	Nay	Absent	Abstained
<b>SENATORS</b>				
1 SEN. RAYNOLD THERIAULT	✓			
2 SEN. JEFFERY N. MILLS	✓			
3 SEN. ROBERT R. GOULD	✓			
<b>REPRESENTATIVES</b>				
1 REP. HAROLD M. MACOMBER	✓			
2 REP. HILDA C. MARTIN	✓			
3 REP. MONA WALKER HALE	✓			
4 REP. ROBERT E. HUSSEY, JR.	✓			
5 REP. BRADFORD E. BOUTILIER	✓			
6 REP. TONY TAMMARO	✓			
7 REP. GEORGE F. RICKER	✓			
8 REP. DONALD A. STROUT	✓			
9 REP. RONALD C. BAILEY	✓			
10 REP. MARY E. SMALL	✓			
<b>TOTAL</b>	13			

4/3/91

PURSUANT TO PUBLIC LAW  
STUDY  
HOUSE REPORT

THE COMMITTEE ON

Transportation pursuant to Public  
Law 1989, chapter 707, section 5

have had the same under consideration and ask leave to submit its findings and to report that the accompanying Bill, "An Act to Clarify Use of Motor Vehicle Auxiliary Lights and Emergency Signals."

(H.P.           )   (L.D.           )

be referred to the Joint Standing

Committee on Transportation

\_\_\_\_\_ for public  
hearing and printed pursuant to Joint Rule 18.

*Harold M. Macomber*  
\_\_\_\_\_ For the Committee.

Rep. Macomber  
South Portland

\_\_\_\_\_ Town

This form to be used ONLY in reporting Studies to the House

# HOUSE REPORT

THE COMMITTEE ON

TRANSPORTATION

to which was referred the Bill

**"An Act** to Clarify Use of  
Motor Vehicle Auxiliary Lights  
and Emergency Signals."

H.P. 990                      L.D. 1435  
have had the same under consideration, and ask leave  
to report that the same

Ought to Pass as Amended by

Committee Amendment " "

  
Rep. Bailey                      For the Committee.

Farmington

Town

This form to be used ONLY in reporting House Bills