



127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 371

S.P. 139

In Senate, February 12, 2015

An Act To Enhance Safety for Highway Maintenance Vehicles

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script, reading "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator COLLINS of York.
Cosponsored by Representative O'CONNOR of Berwick and
Senators: BAKER of Sagadahoc, BURNS of Washington, CYRWAY of Kennebec, DAVIS of
Piscataquis, GERZOFSKY of Cumberland, HAMPER of Oxford, VOLK of Cumberland,
Representative: GERRISH of Lebanon.

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

2 **Sec. 1. 29-A MRSA §2054, sub-§1, ¶H,** as enacted by PL 1993, c. 683, Pt. A,
3 §2 and affected by Pt. B, §5, is amended to read:

4 H. "Highway maintenance vehicle" means a public or private commercial vehicle
5 used to maintain, construct or inspect the highways or the property of a public utility;
6 ~~including, but not limited to, a plow, grader, sand truck, sweeper and tar truck.~~

7 **Sec. 2. 29-A MRSA §2054, sub-§9,** as amended by PL 2007, c. 348, §20, is
8 further amended to read:

9 **9. Stationary vehicles.** The operator of a vehicle passing a stationary authorized
10 emergency vehicle using an emergency light ~~or,~~ a stationary highway maintenance
11 vehicle or a stationary wrecker using its authorized lights, with due regard to the safety
12 and traffic conditions, shall:

13 A. Pass in a lane not adjacent to that of the authorized emergency vehicle, highway
14 maintenance vehicle or wrecker, if possible; or

15 B. If passing in a nonadjacent lane is impossible or unsafe, pass the emergency
16 vehicle, highway maintenance vehicle or wrecker at a careful and prudent speed
17 reasonable for passing the authorized emergency vehicle, highway maintenance
18 vehicle or wrecker safely.

19 A violation of this subsection is a traffic infraction for which a minimum fine of \$250
20 must be adjudged.

21 **SUMMARY**

22 This bill adds highway maintenance vehicles to the list of stationary vehicles for
23 which a motorist must slow down or move to a nonadjacent lane, if possible.