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Legislative Document

No. 591

S.P. 207

In Senate, March 3, 2015

**An Act To Allow Municipal and Volunteer Firefighters To Operate
Motor Vehicles as Authorized Emergency Vehicles**

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator SAVIELLO of Franklin.

Cosponsored by Senator: DUTREMBLE of York, Representative: BLACK of Wilton.

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

2 **Sec. 1. 29-A MRSA §2054, sub-§1, ¶B,** as amended by PL 2011, c. 657, Pt. W,
3 §5 and repealed and replaced by c. 691, Pt. A, §30, is further amended to read:

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

- 5 (1) An ambulance;
- 6 (2) A Baxter State Park Authority vehicle operated by a Baxter State Park
7 ranger;
- 8 (3) A Bureau of Marine Patrol vehicle operated by a coastal warden;
- 9 (4) A Department of Agriculture, Conservation and Forestry vehicle operated by
10 a forest ranger;
- 11 (5) A Department of Agriculture, Conservation and Forestry vehicle used for
12 forest fire control;
- 13 (6) A Department of Corrections vehicle used for responding to the escape of or
14 performing the high-security transfer of a prisoner, juvenile client or juvenile
15 detainee;
- 16 (7) A Department of Inland Fisheries and Wildlife vehicle operated by a warden;
- 17 (8) A Department of Public Safety vehicle operated by a police officer appointed
18 pursuant to Title 25, section 2908, a state fire investigator or a Maine Drug
19 Enforcement Agency officer;
- 20 (9) An emergency medical service vehicle;
- 21 (10) A fire department vehicle;
- 22 (11) A hazardous material response vehicle, including a vehicle designed to
23 respond to a weapon of mass destruction;
- 24 (12) A railroad police vehicle;
- 25 (13) A sheriff's department vehicle;
- 26 (14) A State Police or municipal police department vehicle;
- 27 (15) A vehicle operated by a chief of police, a sheriff or a deputy sheriff when
28 authorized by the sheriff;
- 29 (16) A vehicle operated by a municipal fire inspector, a municipal fire chief, an
30 assistant or deputy chief ~~or~~, a town forest fire warden or, pursuant to subsection
31 5-A, a municipal or volunteer firefighter;
- 32 (17) A vehicle operated by a qualified deputy sheriff or other qualified
33 individual to perform court security-related functions and services as authorized
34 by the State Court Administrator pursuant to Title 4, section 17, subsection 15;
- 35 (18) A Federal Government vehicle operated by a federal law enforcement
36 officer;

- 1 (19) A vehicle operated by a municipal rescue chief, deputy chief or assistant
2 chief;
- 3 (20) An Office of the Attorney General vehicle operated by a detective
4 appointed pursuant to Title 5, section 202;
- 5 (21) A Department of the Secretary of State vehicle operated by a motor vehicle
6 investigator; and
- 7 (22) A University of Maine System vehicle operated by a University of Maine
8 System police officer.

9 **Sec. 2. 29-A MRSA §2054, sub-§2, ¶F**, as amended by PL 2005, c. 299, §1, is
10 further amended to read:

11 F. Only vehicles listed in this paragraph, rural mail vehicles as provided in paragraph
12 C, subparagraph (5) and school buses may be equipped with, display or use a red
13 auxiliary or emergency light.

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

18 (2) ~~The municipal officers or a municipal official designated by the municipal~~
19 ~~officers, with the approval of the fire chief, may authorize an active member of a~~
20 ~~municipal or volunteer fire department to~~ A municipal or volunteer firefighter
21 authorized to operate a motor vehicle as an authorized emergency vehicle
22 pursuant to subsection 5-A may use one red or combination red and white
23 flashing auxiliary light mounted as near as practicable above the front registration
24 plate on the front of the vehicle, behind the rearview mirror or on the dashboard
25 or 2 flashing red or combination red and white auxiliary lights mounted on the
26 front of the vehicle above the front bumper and below the hood. The light or
27 lights may be displayed but may be used only while the member is en route to or
28 at the scene of a fire or other emergency. A light mounted on the dashboard or
29 behind the rearview mirror must be shielded so that the emitted light does not
30 interfere with the operator's vision. The use of lights may be revoked at any time
31 by the fire chief.

32 (3) Members of an emergency medical service licensed by Maine Emergency
33 Medical Services may display and use on a vehicle red or red and white
34 combination flashing auxiliary lights of the same proportion, in the same location
35 and under the same conditions as those permitted municipal and volunteer
36 firefighters, when authorized by the chief official of the emergency medical
37 service. The use of lights may be revoked at any time by the chief official of the
38 emergency medical service.

39 **Sec. 3. 29-A MRSA §2054, sub-§5-A** is enacted to read:

40 **5-A. Municipal or volunteer firefighter.** The municipal officers or a municipal
41 official designated by the municipal officers, with the approval of the fire chief, may
42 authorize an active member of a municipal or volunteer fire department to operate a

1 motor vehicle as an authorized emergency vehicle if the person has at least one year of
2 emergency response experience and successfully completed an emergency vehicle
3 operations course or similar training approved by the fire chief. That person may operate
4 a motor vehicle as an authorized emergency vehicle when responding to or at the scene
5 of, but not when returning from, an emergency call or fire alarm. The fire chief may
6 revoke the authorization under this subsection at any time.

7

SUMMARY

8 This bill allows a municipal or volunteer firefighter trained and experienced in
9 emergency vehicle operations to operate a motor vehicle as an authorized emergency
10 vehicle.