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TRANSPORTATION

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**STATE OF MAINE
SENATE
127TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 71, L.D. 196, Bill, “An Act To Ensure the Safety of Stationary Public Utility Emergency Service Vehicles”

Amend the bill by striking out the title and substituting the following:

'An Act To Ensure the Safety of Public Service Vehicles'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 29-A MRSA §2054, sub-§1, ¶I-1 is enacted to read:

I-1. "Public service vehicle" means a vehicle used to assist members of the public or law enforcement officers with disabled vehicles or to remove debris from a roadway, or a vehicle used to construct, maintain, inspect or repair utility infrastructure, including, but not limited to, electricity, water, sewer, cable, telephone, gas and natural gas infrastructure. "Public service vehicle" includes a wrecker.

Sec. 2. 29-A MRSA §2054, sub-§2, ¶C, as amended by PL 2013, c. 462, §4, is further amended to read:

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

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

(1-A) A Department of Labor motor vehicle operated by a workplace safety inspector 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.

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- 1 (3) A vehicle engaged in snow removal or sanding operations on a public way
2 must be equipped with and display an auxiliary light that provides visible light
3 coverage over a 360` range. The light must emit an amber beam of light and be
4 equipped with a blinking or strobe light function and have sufficient intensity to
5 be visible at 500 feet in normal daylight. When the left wing of a plow is in
6 operation and extends over the center of the road, an auxiliary light must show
7 the extreme end of the left wing. That light may be attached to the vehicle so that
8 the beam of light points at the left wing. The light illuminating the left wing may
9 be controlled by a separate switch or by the regular lighting system and must be
10 in operation at all times when the vehicle is used for plowing snow on public
11 ways.
- 12 (4) A vehicle equipped and used for plowing snow on other than public ways
13 may be equipped with an auxiliary rotary flashing light that must be mounted on
14 top of the vehicle in such a manner as to emit an amber beam of light over a 360`
15 angle, or an amber strobe, or combination of strobes, that emits at a minimum a
16 beam of 50 candlepower and provides visible light coverage over a 360` range.
17 The light may be in use on a public way only when the vehicle is entering the
18 public way in the course of plowing private driveways and other off-highway
19 locations.
- 20 (5) A rural mail vehicle may be equipped with auxiliary lights.
- 21 (a) The lights used to the front must be white or amber, or any shade
22 between white and amber.
- 23 (b) The lights used to the rear must be amber or red, or any shade between
24 amber and red.
- 25 (c) The lights, whether used to the front or rear, must be mounted at the
26 same level and as widely spaced laterally as possible.
- 27 (d) The lights, whether used to the front or rear, must flash simultaneously.
- 28 (e) The lights must be visible from a distance of at least 500 feet in normal
29 daylight.
- 30 (6) A vehicle used or provided by a contract security company to assist in traffic
31 control and direction at construction or maintenance sites on a public way may be
32 equipped with amber auxiliary lights.
- 33 (7) A Department of Public Safety vehicle operated by a motor carrier inspector
34 or motor vehicle inspector may be equipped with auxiliary lights that emit an
35 amber light.
- 36 (8) A vehicle used by an animal control officer appointed pursuant to Title 7,
37 section 3947 may be equipped with auxiliary lights that emit a flashing amber
38 light.
- 39 (9) A refuse, garbage or trash business vehicle used by an individual to transport
40 refuse, garbage and trash may be equipped with auxiliary lights that emit a
41 flashing amber light.

1 (10) A vehicle used by an individual to transport and deliver newspapers may be
2 equipped with auxiliary lights that emit a flashing amber light.

3 **Sec. 3. 29-A MRSA §2054, sub-§2, ¶G**, as enacted by PL 1993, c. 683, Pt. A,
4 §2 and affected by Pt. B, §5, is amended to read:

5 G. A vehicle may be equipped with a spotlight. Only spotlights on authorized
6 emergency vehicles, highway maintenance vehicles and public ~~utility~~ service vehicles
7 may be used on a public way, except any vehicle may use a spotlight in cases of
8 necessity when other lights required by law fail to operate.

9 **Sec. 4. 29-A MRSA §2054, sub-§9**, as amended by PL 2007, c. 348, §20, is
10 further amended to read:

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

15 A. Pass in a lane not adjacent to that of the authorized emergency vehicle or ~~wrecker~~
16 public service vehicle, if possible; or

17 B. If passing in a nonadjacent lane is impossible or unsafe, pass the emergency
18 vehicle or ~~wrecker~~ public service vehicle at a careful and prudent speed reasonable
19 for passing the authorized emergency vehicle or ~~wrecker~~ public service vehicle
20 safely.

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

23 SUMMARY

24 This amendment, which strikes and replaces the bill, adds public service vehicles to
25 the list of stationary vehicles for which a motorist must move to a nonadjacent lane, if
26 possible, or slow down.

27 The amendment defines a "public service vehicle" as a vehicle used to assist
28 members of the public or law enforcement officers with disabled vehicles or to remove
29 debris from a roadway, or as a vehicle used to construct, maintain, inspect or repair utility
30 infrastructure, including, but not limited to, electricity, water, sewer, cable, telephone, gas
31 and natural gas infrastructure. The amendment also provides that a "public service
32 vehicle" includes a wrecker.

33 The amendment provides that a public service vehicle may be equipped with
34 auxiliary lights that emit an amber light and may be equipped with a spotlight.