1	L.D. 785
2	Date: (Filing No. H-)
3	TRANSPORTATION
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5	STATE OF MAINE
6	HOUSE OF REPRESENTATIVES
7	128TH LEGISLATURE
8	FIRST REGULAR SESSION
9 10	COMMITTEE AMENDMENT " " to H.P. 565, L.D. 785, Bill, "An Act To Improve Safety and Traffic Efficiency near School Grounds"
11 12	Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:
13	'Sec. 1. 29-A MRSA §2091-A is enacted to read:
14	§2091-A. School crossing guards
15 16	1. Qualifications. A school crossing guard is qualified to direct traffic if the school crossing guard:
17	A. Is 18 years of age or older;
18	B. Is under the control of a local law enforcement agency;
19 20 21 22 23	C. Has completed training approved by the Department of Labor, Bureau of Labor Standards in controlling traffic on a public way and as described by section 2091, subsection 2 to perform any traffic direction duties to which the school crossing guard is assigned as prescribed by the local law enforcement agency that has control over the school crossing guard;
24 25	D. Is wearing an appropriate uniform as specified by the local law enforcement agency that has control over the school crossing guard; and
26	E. Is directing traffic in an intersection with a marked crosswalk on a public way.
27 28 29	2. Obeying school crossing guards. An operator of a motor vehicle shall obey a hand signal or handheld traffic control device of a school crossing guard qualified under subsection 1. A violation of this subsection is a traffic infraction.
30 31 32 33	3. Assisting pedestrians. This section does not prohibit a school crossing guard who does not meet the specifications described in subsection 1 from assisting a pedestrian to cross a public way, as long as the school crossing guard does not attempt to do so by directing traffic.

4. Restrictions. A school crossing guard may not contradict or override a lighted traffic control device or pedestrian control device or cause a pedestrian or motor vehicle to violate the provisions of section 2057.'

4 SUMMARY

 This amendment clarifies that failure to obey a school crossing guard is a traffic infraction. The amendment provides that school crossing guards are under the control of a local law enforcement agency only and not a school administrative unit. The amendment specifies that a school crossing guard must complete training approved by the Department of Labor, Bureau of Labor Standards in order to control traffic on a public way. The amendment also provides that a school crossing guard may direct traffic only in an intersection with a marked crosswalk on a public way. Finally, the amendment provides that a school crossing guard may not contradict or override a lighted traffic control device or pedestrian control device.