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125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 1123

H.P. 835

House of Representatives, March 15, 2011

An Act To Amend the Motor Vehicle Laws

Submitted by the Department of Public Safety pursuant to Joint Rule 204.

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

Handwritten signature of Heather J.R. Priest in cursive.

HEATHER J.R. PRIEST
Clerk

Presented by Representative CEBRA of Naples.
Cosponsored by Senator COLLINS of York and
Representatives: HOGAN of Old Orchard Beach, MAZUREK of Rockland, PARRY of
Arundel, PEOPLES of Westbrook, RIOUX of Winterport, Senator: DIAMOND of
Cumberland.

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

2 **Sec. 1. 29-A MRSA §1768, sub-§8** is enacted to read:

3 **8. Performance of inspections, issuance of inspection certificate by a person**
4 **with a suspended or revoked inspection mechanic license. A person commits a Class**
5 **E crime if, at a time when the person's inspection mechanic license is suspended or**
6 **revoked pursuant to section 1763, the person:**

7 **A. Performs a state motor vehicle inspection or federally approved motor vehicle**
8 **inspection in order for a certificate of inspection or report to be issued by a 3rd party;**
9 **or**

10 **B. Issues a state or federally approved certificate of inspection or report.**

11 **Sec. 2. 29-A MRSA §2054, sub-§2, ¶C**, as amended by PL 2009, c. 251, §10, is
12 further amended to read:

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

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

18 (1-A) A Department of Labor motor vehicle operated by a workplace safety
19 inspector may be equipped with auxiliary lights that emit an amber light.

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

24 (3) A vehicle engaged in snow removal or sanding operations on a public way
25 must be equipped with and display an auxiliary light that provides visible light
26 coverage over a 360` range. The light must emit an amber beam of light and be
27 equipped with a blinking or strobe light function and have sufficient intensity to
28 be visible at 500 feet in normal daylight. When the left wing of a plow is in
29 operation and extends over the center of the road, an auxiliary light must show
30 the extreme end of the left wing. That light may be attached to the vehicle so that
31 the beam of light points at the left wing. The light illuminating the left wing may
32 be controlled by a separate switch or by the regular lighting system and must be
33 in operation at all times when the vehicle is used for plowing snow on public
34 ways.

35 (4) A vehicle equipped and used for plowing snow on other than public ways
36 may be equipped with an auxiliary rotary flashing light that must be mounted on
37 top of the vehicle in such a manner as to emit an amber beam of light over a 360`
38 angle, or an amber strobe, or combination of strobes, that emits at a minimum a
39 beam of 50 candlepower and provides visible light coverage over a 360` range.
40 The light may be in use on a public way only when the vehicle is entering the

1 public way in the course of plowing private driveways and other off-highway
2 locations.

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

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

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

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

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

11 (e) The lights must be visible from a distance of at least 500 feet in normal
12 daylight.

13 (6) A vehicle used or provided by a contract security company to assist in traffic
14 control and direction at construction or maintenance sites on a public way may be
15 equipped with amber auxiliary lights.

16 (7) A Department of Public Safety vehicle operated by a motor carrier inspector
17 or motor vehicle inspector may be equipped with auxiliary lights that emit an
18 amber light.

19 (8) A vehicle used by an animal control officer appointed pursuant to Title 7,
20 section 3947 may be equipped with auxiliary lights that emit a flashing amber
21 light.

22 (9) A refuse, garbage or trash business vehicle used by an individual to transport
23 refuse, garbage and trash may be equipped with auxiliary lights that emit a
24 flashing amber light.

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

27 SUMMARY

28 This bill makes it a Class E crime if, at a time when a person's inspection mechanic
29 license is suspended or revoked pursuant to the Maine Revised Statutes, Title 29-A,
30 section 1763, the person performs a state or federally approved motor vehicle inspection
31 in order for a certificate of inspection or report to be issued by a 3rd party or issues a state
32 or federally approved certificate of inspection or a report. The bill permits Department of
33 Labor motor vehicles operated by workplace safety inspectors to be equipped with
34 auxiliary lights that emit an amber light.