

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-SIX

—
H.P. 1377 - L.D. 2053

**An Act to Improve Safety by Allowing the Use of Variable-message Signs on
Certain Vehicles**

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, vehicles that assist with traffic incidents and improve roadway safety that are equipped with variable-message signs mounted on the vehicle are prepared to begin using variable-message signs immediately; and

Whereas, a delay in allowing vehicles that assist with traffic incidents and improve roadway safety to use variable-message signs could allow for a greater number of traffic-related injuries to occur; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

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

K. "Safety service patrol vehicle" means a vehicle, equipped with a variable-message sign, used or contracted by the department or the Maine Turnpike Authority to assist with traffic incidents and improve roadway safety.

Sec. 2. 29-A MRSA §2054, sub-§1, ¶L is enacted to read:

L. "Variable-message sign" means a traffic control device on which a message can be displayed and changed manually, electronically, mechanically, electromechanically or by other means to provide information about traffic congestion, traffic accidents, maintenance operations, adverse weather conditions, roadway conditions or organized events or other necessary roadway safety information.

Sec. 3. 29-A MRSA §2054, sub-§12 is enacted to read:

12. Variable-message signs. A variable-message sign may be used on a wrecker, police vehicle, fire department vehicle, safety service patrol vehicle or highway maintenance vehicle in the manner prescribed in this subsection. The variable-message sign may not exceed the width of the vehicle on which it is mounted and may be displayed only facing traffic behind the vehicle. The operator of a vehicle under this subsection may use a variable-message sign as follows.

A. The operator of a wrecker may use a variable-message sign on that vehicle while it is stationary and engaged in repair, loading or unloading a vehicle or performing a vehicle recovery. A variable-message sign mounted on a wrecker must display amber lights that create right or left arrows or the words “slow down” or “move over.”

B. The operator of a police vehicle, fire department vehicle, safety service patrol vehicle or highway maintenance vehicle may use a variable-message sign on that vehicle to provide information about traffic congestion, traffic accidents, maintenance operations, adverse weather conditions, roadway conditions or organized events or other necessary roadway safety information. The variable-message sign must display right or left arrows or the words “slow down,” “move over,” “accident ahead,” “crash ahead” or other similar language. Other messages not described in this paragraph may be displayed on a variable-message sign if the additional messages are established by rule and in line with standards in accordance with the latest edition of the Manual on Uniform Traffic Control Devices published by the United States Department of Transportation, Federal Highway Administration.

The Commissioner of Public Safety or the commissioner’s designee may adopt rules as necessary for the purpose of implementing this paragraph. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.