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Date: (Filing No. H-)

TRANSPORTATION

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 327, L.D. 522, “An Act to Require That Motor Vehicles Be Clear of Snow When Operated on Public Ways”

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

'An Act to Require That Motor Vehicles Be Clear of Snow and Ice When Operated on Public Ways'

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

'Sec. 1. 29-A MRSA §2093 is enacted to read:

§2093. Snow and ice; duty of care

The operator of a vehicle with a registered weight under 10,000 pounds shall take reasonable measures to prevent snow or ice on the vehicle from falling off the vehicle while it is being operated on a public way.

A violation of this section that causes damage or injury is a traffic infraction subject to a fine of not more than \$50 for a first offense and for which a fine of not less than \$150 and not more than \$250 may be adjudged for each subsequent offense.

Sec. 2. 29-A MRSA §2396, sub-§2, as amended by PL 2001, c. 144, §2, is further amended to read:

2. Unsecured load. A person may not operate on a public way a vehicle with a load that is not fastened, secured, confined or loaded to reasonably prevent a portion from falling off.

For the purposes of this section, "load" includes, but is not limited to, firewood, pulpwood, logs, bolts, snow, ice or other material, but does not include loose hay, pea vines, straw, grain or cornstalks.

When the load consists of sawdust, shavings or wood chips, and a reasonable effort has been made to completely cover the load, minor amounts blown from the vehicle while in transit do not constitute a violation.

COMMITTEE AMENDMENT

1 A violation of this section is a traffic infraction subject to a ~~forfeiture~~ fine of not less than
2 \$150 nor more than \$500.'

3 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
4 number to read consecutively.

5 **SUMMARY**

6 This amendment replaces the bill. The amendment requires the operator of a vehicle
7 with a registered weight under 10,000 pounds to take reasonable measures to prevent snow
8 or ice from falling off the vehicle while it is being operated on a public way and provides
9 for a fine of not more than \$50 for a first offense and of not less than \$150 and not more
10 than \$250 for each subsequent offense.

11 This amendment also adds snow and ice to the definition of "load" in the provisions of
12 law governing unsecured loads.

13 **FISCAL NOTE REQUIRED**

14 **(See attached)**