

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Allow Municipal and Volunteer Firefighters To Operate Motor Vehicles as Authorized Emergency Vehicles**

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

**Sec. 1. 29-A MRSA §2054, sub-§1, ¶B**, as amended by PL 2011, c. 657, Pt. W, §5 and repealed and replaced by c. 691, Pt. A, §30, is further amended to read:

B. "Authorized emergency vehicle" means any one of the following vehicles:

- (1) An ambulance;
- (2) A Baxter State Park Authority vehicle operated by a Baxter State Park ranger;
- (3) A Bureau of Marine Patrol vehicle operated by a coastal warden;
- (4) A Department of Agriculture, Conservation and Forestry vehicle operated by a forest ranger;
- (5) A Department of Agriculture, Conservation and Forestry vehicle used for forest fire control;
- (6) A Department of Corrections vehicle used for responding to the escape of or performing the high-security transfer of a prisoner, juvenile client or juvenile detainee;
- (7) A Department of Inland Fisheries and Wildlife vehicle operated by a warden;
- (8) A Department of Public Safety vehicle operated by a police officer appointed pursuant to Title 25, section 2908, a state fire investigator or a Maine Drug Enforcement Agency officer;
- (9) An emergency medical service vehicle;
- (10) A fire department vehicle;
- (11) A hazardous material response vehicle, including a vehicle designed to respond to a weapon of mass destruction;

(12) A railroad police vehicle;

(13) A sheriff's department vehicle;

(14) A State Police or municipal police department vehicle;

(15) A vehicle operated by a chief of police, a sheriff or a deputy sheriff when authorized by the sheriff;

(16) A vehicle operated by a municipal fire inspector, a municipal fire chief, an assistant or deputy chief or, a town forest fire warden or, pursuant to subsection 5-A, a municipal or volunteer firefighter;

(17) A vehicle operated by a qualified deputy sheriff or other qualified individual to perform court security-related functions and services as authorized by the State Court Administrator pursuant to Title 4, section 17, subsection 15;

(18) A Federal Government vehicle operated by a federal law enforcement officer;

(19) A vehicle operated by a municipal rescue chief, deputy chief or assistant chief;

(20) An Office of the Attorney General vehicle operated by a detective appointed pursuant to Title 5, section 202;

(21) A Department of the Secretary of State vehicle operated by a motor vehicle investigator; and

(22) A University of Maine System vehicle operated by a University of Maine System police officer.

**Sec. 2. 29-A MRSA §2054, sub-§2, ¶F,** as amended by PL 2005, c. 299, §1, is further amended to read:

F. Only vehicles listed in this paragraph, rural mail vehicles as provided in paragraph C, subparagraph (5) and school buses may be equipped with, display or use a red auxiliary or emergency light.

(1) Emergency lights used on an ambulance, an emergency medical service vehicle, a fire department vehicle, a fire vehicle, a rescue vehicle or a hazardous material response vehicle must emit a red light or a combination of red and white light.

~~(2) The municipal officers or a municipal official designated by the municipal officers, with the approval of the fire chief, may authorize an active member of a municipal or volunteer fire department to~~A municipal or volunteer firefighter authorized to operate a motor vehicle as an authorized emergency vehicle pursuant to subsection 5-A may use one red or combination red and white flashing auxiliary light mounted as near as practicable above the front registration plate on the front of the vehicle, behind the rearview mirror or on the dashboard or 2 flashing red or combination red and white auxiliary lights mounted on the front of the vehicle above the front bumper and below the hood. The light or lights may be displayed but may be used only while the member is en route to or at the scene of a fire or other emergency. A light mounted on the dashboard or behind the rearview mirror must be shielded so that the emitted light does not interfere with the operator's vision. The use of lights may be revoked at any time by the fire chief.

(3) Members of an emergency medical service licensed by Maine Emergency Medical Services may display and use on a vehicle red or red and white combination flashing auxiliary lights of the same proportion, in the same location and under the same conditions as those permitted municipal and volunteer firefighters, when authorized by the chief official of the emergency medical service. The use of lights may be revoked at any time by the chief official of the emergency medical service.

**Sec. 3. 29-A MRSA §2054, sub-§5-A** is enacted to read:

**5-A. Municipal or volunteer firefighter.** The municipal officers or a municipal official designated by the municipal officers, with the approval of the fire chief, may authorize an active member of a municipal or volunteer fire department to operate a motor vehicle as an authorized emergency vehicle if the person has at least one year of emergency response experience and successfully completed an emergency vehicle operations course or similar training approved by the fire chief. That person may operate a motor vehicle as an authorized emergency vehicle when responding to or at the scene of, but not when returning from, an emergency call or fire alarm. The fire chief may revoke the authorization under this subsection at any time.

## SUMMARY

This bill allows a municipal or volunteer firefighter trained and experienced in emergency vehicle operations to operate a motor vehicle as an authorized emergency vehicle.