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TRANSPORTATION

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
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FIRST SPECIAL SESSION

COMMITTEE AMENDMENT " " to H.P. 1207, L.D. 1623, "An Act To Require That Motor Vehicles Be Clear of Snow and Ice When Operated on Public Ways"

Amend the bill by striking out all of section 1 and inserting the following:

'Sec. 1. 29-A MRSA §2396, sub-§5 is enacted to read:

5. Solid precipitation. Except during a snowstorm, or within a reasonable time following a snowstorm as determined by the Department of Public Safety by rule, a person may not operate a motor vehicle on a public way with a load of solid precipitation on the motor vehicle. For the purposes of this subsection, "solid precipitation" includes, but is not limited to, snow, ice, hail and sleet.

When a reasonable effort has been made to completely remove a load of solid precipitation from a motor vehicle, minor amounts blown from the motor vehicle while in transit do not evidence a violation of this subsection. The Department of Public Safety shall determine by rule what constitutes a reasonable effort to remove a load of solid precipitation from a motor vehicle and what constitutes minor amounts of solid precipitation blown from a motor vehicle while in transit.

Notwithstanding subsection 2, a violation of this subsection is a traffic infraction subject to a fine of not less than \$250 for the first offense and not less than \$500 for a 2nd or subsequent offense.

Rules adopted pursuant to this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.'

Amend the bill in section 2 in subsection 6 by striking out all of the first blocked paragraph (page 1, line 14 in L.D.).

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

COMMITTEE AMENDMENT

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SUMMARY

This amendment limits the bill's prohibition on operating a motor vehicle with a load of solid precipitation to after a reasonable time has passed following a snowstorm, as determined by the Department of Public Safety by rule, and directs the department to adopt rules determining what constitutes a reasonable effort to remove a load of solid precipitation and what constitutes minor amounts of solid precipitation blown from a motor vehicle while in transit. The amendment also removes the repeal date on the exemption for commercial motor vehicles.