1	L.D. 1301
2	Date: (Filing No. S-)
3	TRANSPORTATION
4	Reproduced and distributed under the direction of the Secretary of the Senate.
5	STATE OF MAINE
6	SENATE
7	127TH LEGISLATURE
8	FIRST REGULAR SESSION
9 10 11	COMMITTEE AMENDMENT "" to S.P. 466, L.D. 1301, Bill, "An Act To Improve the Safety of Vulnerable Users in Traffic and To Clarify the Responsibilities of Bicyclists and Pedestrians"
12 13 14 15	Amend the bill in section 1 in subsection 91-A in the first line (page 1, line 3 in L.D.) by inserting after the following: "means" the following: 'a person on a public way who is more vulnerable to injury than a person in an automobile, truck or other similar motor vehicle and includes, but is not limited to'
16 17	Amend the bill in section 1 in subsection 91-A in paragraph C in the first line (page 1, line 7 in L.D.) by inserting after the following: "way:" the following: 'or'
18 19	Amend the bill in section 1 in subsection 91-A in paragraph D by striking out all of subparagraph (9) (page 1, line 20 in L.D.)
20 21 22	Amend the bill in section 1 in subsection 91-A in paragraph D in subparagraph (14) (page 1, line 25 in L.D.) by striking out the following: " <u>skis</u> ; or" and inserting the following: ' <u>skis</u> .'
23 24	Amend the bill in section 1 in subsection 91-A in paragraph D by renumbering the subparagraphs to read consecutively.
25 26	Amend the bill in section 1 in subsection 91-A by striking out all of paragraph E (page 1, lines 26 and 27 in L.D.)
27 28	Amend the bill in section 2 by striking out all of subsection 4 (page 1, lines 30 to 33 and page 2, lines 1 to 3 in L.D.) and inserting the following:
29 30 31 32	'4. Requirements. A driver education course approved under this subchapter must include instruction that imparts the understanding and skills necessary to operate a motor vehicle safely in a situation in which a motorcycle or vulnerable user is sharing the road with that motor vehicle.'
33	Amend the bill by striking out all of sections 3 to 6 and inserting the following:
34 35	'Sec. 3. 29-A MRSA §2056, sub-§4, as amended by PL 1999, c. 101, §1, is further amended to read:

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1 4. Pedestrians in marked crosswalks. When traffic-control devices are not in 2 operation, an operator must yield the right-of-way to a pedestrian who is crossing within a marked crosswalk or to a pedestrian who has shown visible intent to enter the marked 3 crosswalk.' 4 5 Amend the bill by striking out all of sections 9 and 10 (page 3, lines 24 to 37 and page 4, lines 1 and 2 in L.D.) 6 7 Amend the bill in section 11 by striking out all of subsection 7 (page 4, lines 5 to 9 in 8 L.D.) and inserting the following: 9 **'7.** Penalties. A person 17 years of age or over who violates this section subsection 2, 3, 3-A, 4, 6, 9, 10, 11, 12 or 13 commits a traffic infraction for which a fine of not less 10 than \$25 and not more than \$250 may be adjudged. A person under 17 years of age is not 11 12 subject to a fine under this section.' 13 Amend the bill by striking out all of sections 12 and 13 and inserting the following: 'Sec. 12. 29-A MRSA §2063, sub-§§10 to 13 are enacted to read: 14 15 10. Duty to yield. A bicyclist, roller skier or other nonmotorized traffic must yield the right-of-way to a pedestrian crossing the way in a marked crosswalk who is 16 17 proceeding in accordance with a traffic-control device as provided in section 2057 or who is proceeding without a traffic-control device in operation. For purposes of this 18 19 subsection, "yield the right-of-way" means to slow or stop to avoid colliding with or 20 causing other harm to a pedestrian. 21 11. Traffic-control devices. A person operating a bicycle or roller skis shall obey a traffic-control device, unless otherwise directed by a law enforcement officer. A traffic-22 control device conforming to the requirements for these devices is presumed to comply 23 24 with this chapter. 25 **12.** Stop signs. Unless directed to proceed by a law enforcement officer or traffic-26 control device, a person operating a bicycle or roller skis approaching a stop sign shall 27 stop and: 28 A. Yield the right-of-way to a vehicle that has entered the intersection or that is approaching so closely as to constitute an immediate hazard; and 29 30 B. Having yielded, a person operating a bicycle or roller skis may proceed. All other 31 operators approaching the intersection shall yield the right-of-way to the person 32 operating a bicycle or roller skis so proceeding. 33 13. One-way road. On a public way posted for one-way traffic, unless directed to proceed by a law enforcement officer or traffic-control device, a bicycle may be ridden 34 35 only in the direction designated.' 36 Amend the bill by relettering or renumbering any nonconsecutive Part letter or 37 section number to read consecutively. 38 SUMMARY 39 This amendment is the majority report of the Joint Standing Committee on 40 Transportation. The amendment does the following.

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1 1. It changes the definition of "vulnerable user" in the bill to remove motorcycles and 2 to clarify that "vulnerable user" includes persons who are more vulnerable to injury than 3 those in an automobile, truck or similar motor vehicle.

Like the bill, it requires that driver education courses include instruction regarding
sharing the road with a vulnerable user, but the amendment eliminates the requirement in
the bill that instruction include at least 30 minutes.

3. It strikes from the bill the provisions regarding pedestrians in crosswalks and
instead adds new language to existing statute to specify that operators must yield the
right-of-way to pedestrians who have shown visible intent to enter the marked crosswalk.

4. It retains provisions in the bill regarding responsibilities of bicyclists that are like
responsibilities of motor vehicle operators but consolidates most of these provisions in
the Maine Revised Statutes, Title 29-A, section 2063, which addresses the rights and
duties of bicyclists.

14 5. It strikes all proposed new prohibitions and penalties regarding vulnerable users,
15 as the conduct and penalties are covered by current law in Titles 17-A and 29-A.

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