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May 1, 2025

Testimony of Rep. Dan Ankeles presenting

LD 1568, An Act to Allow the Use of a Siren in a Vehicle Used by a Harbor Master or Deputy Harbor Master

Before the Joint Standing Committee on Transportation

Senator Nangle, Representative Crafts and fellow members of the Joint Standing Committee on Transportation, thank you for the opportunity to share testimony with you. I am still Representative Dan Ankeles, and I serve House District 100, which is a central portion of Brunswick. It's my pleasure to present **LD 1568, An Act to Allow the Use of a Siren in a Vehicle Used by a Harbor Master or Deputy Harbor Master**.

Almost three weeks after cloture, the Maine Harbor Masters Association reached out to me to see if it was too late to make a small change to the law so that harbor masters could use sirens when responding to an emergency situation. This is something that apparently was supposed to happen in a previous Legislature but was inadvertently left out.

I had no idea this was even an issue until it was brought to me, but all of you know that supporting good working waterfront policy is very important to me and to my constituents. We have one of the most productive sets of clam flats in the state, a growing and very well-respected oyster farming industry and all kinds of other people who spend a lot of time out on the water. Part of our job is to do what we can to keep them safe.

I'll note that I've attached a sponsor amendment to my testimony, and I will be speaking to the amended version and not the original text.

As amended, this bill adds a vehicle owned by a municipality and used by a harbor master to the list of authorized emergency vehicles. The amendment also requires a municipality or agency to require a person appointed or reappointed as a harbor master or deputy harbor master to have completed a State of Maine emergency vehicle operator's course if operating a vehicle while exercising emergency privileges.

The reason you've got an amended version before you is because the State Police found some language they were uncomfortable with, and working with the harbor masters and our intrepid committee analyst, we were able to make some edits and still accomplish the intent of the bill. I want to particularly thank Lt. Bruce Scott for his hard work to get this bill in good shape prior to this hearing.

One last point in closing: both the original text of the bill and the amended version of the bill have emergency preambles so that harbor masters won't have to wait an extra season to start using sirens.

Thank you for the opportunity to present this bill. I am happy to answer questions.

Sponsor Amendment to LD 1568, "An Act to Allow the Use of a Siren Vehicle Used by a Harbor Master or Deputy Harbor Master" (Rep. Ankeles)

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

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

Whereas, this legislation allows a municipality to authorize the use of a siren in a motor vehicle operated by a harbor master or deputy harbor master when responding to an emergency call; and

Whereas, it is imperative that this legislation take effect before the start of the boating season; 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 MRSA §2054, sub-§1, ¶B, sub-¶22 is amended to read:

(22) A University of Maine System vehicle operated by a University of Maine System police officer; ~~and~~

Sec. 2. 29 MRSA §2054, sub-§1, ¶B, sub-¶23 is amended to read:

(23) A life support transport vehicle when parked on a Department of Transportation ferry vessel and being used to transport a person who requires constant medical support to survive; and

Sec. 3. 29 MRSA §2054, sub-§1, ¶B, sub-¶24 is amended to read:

(24) A vehicle owned by a municipality and used by a harbor master appointed by a municipal officer pursuant to Title 38, section 1.

Sec. 4. 29-A MRSA §2054, sub-§2, ¶F, sub-¶(5) is amended to read:

(5) A municipality may authorize a harbor master or deputy harbor master appointed under Title 38, section 1 or 2, respectively, to use one red or combination red and white flashing auxiliary light mounted in the windshield or on the dashboard at the front of a vehicle 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 and one red auxiliary light mounted in the rear window area. The light or lights may be displayed but may be used only while the harbor master or deputy harbor master is responding to a watercraft emergency. A light mounted on the dashboard or in the windshield must be shielded so that the emitted light

does not interfere with the operator's vision. The authorization for the use of lights may be revoked at any time by the municipality.

A vehicle described in this subparagraph may only be operated when exercising emergency privileges by a person who has completed a State of Maine Emergency Vehicle Operator's Course.

Sec. 4. 29-A MRSA §2054, sub-§3, ¶A is enacted to read:

A. A municipality may authorize an authorized emergency vehicle owned by a municipality and used by a harbor master defined in section 2054, subsection 1, paragraph B, sub-paragraph 24 to be equipped with a siren in addition to authorized lights pursuant to section 2054, subsection 2, paragraph F, subparagraph 5.

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

SUMMARY

This amendment strikes and replaces the language of the bill and adds a vehicle owned by a municipality and used by a harbor master to the list of authorized emergency vehicles. The amendment also requires a municipality or agency to require a person appointed or reappointed as a harbor master or deputy harbor master to have completed a State of Maine Emergency Vehicle Operator's Course if operating a vehicle while exercising emergency privileges.