

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND AND FIFTEEN

S.P. 466 - L.D. 1301

**An Act To Improve the Safety of Vulnerable Users in Traffic and To Clarify
the Responsibilities of Bicyclists and Pedestrians**

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

Sec. 1. 29-A MRSA §101, sub-§91-A is enacted to read:

91-A. Vulnerable user. "Vulnerable user" means 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:

A. A pedestrian, including a person on or within a public way engaged in work or the provision of emergency or roadside assistance;

B. A person riding, guiding or leading an animal upon or within a public way;

C. A person being guided by a service animal upon or within a public way; or

D. A person lawfully on or within a public way, crosswalk or shoulder portion of the public way who is lawfully operating, riding, using, holding or otherwise on or in any of the following devices:

(1) A bicycle, or a device that is an extension of a bicycle such as an extend-a-bike, a bicycle trailer or a child's bicycle seat;

(2) A motorized bicycle or tricycle, including an electric-assisted bicycle;

(3) A farm tractor or similar vehicle designed primarily for farm use;

(4) A skateboard;

(5) Roller skates;

(6) In-line skates;

(7) A scooter;

(8) A moped;

(9) A horse-drawn carriage;

(10) An electric personal assistive mobility device;

(11) A wheelchair;

(12) A Segway; or

(13) Roller skis.

Sec. 2. 29-A MRSA §1351, sub-§4, as enacted by PL 2003, c. 183, §1, is repealed and the following enacted in its place:

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.

Sec. 3. 29-A MRSA §2056, sub-§4, as amended by PL 1999, c. 101, §1, is further amended to read:

4. Pedestrians in marked crosswalks. When traffic-control devices are not in 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 crosswalk.

Sec. 4. 29-A MRSA §2057, sub-§10, as amended by PL 2007, c. 348, §21, is further amended to read:

10. Failure to yield; criminal offense. A person commits a Class E crime if the person operates a vehicle past a yield sign and collides with a vehicle, person riding a bicycle or pedestrian proceeding on the intersecting way.

Sec. 5. 29-A MRSA §2057, sub-§10-A, as enacted by PL 2007, c. 348, §22, is amended to read:

10-A. Failure to yield; traffic infraction. A person commits a traffic infraction if the person operates a vehicle or a bicycle past a yield sign and fails to yield the right-of-way to a vehicle, person riding a bicycle or pedestrian proceeding on the intersecting way.

Sec. 6. 29-A MRSA §2063, sub-§7, as amended by PL 2013, c. 482, §2, is further amended to read:

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 than \$25 and not more than \$250 may be adjudged. A person under 17 years of age is not subject to a fine under this section.

Sec. 7. 29-A MRSA §2063, sub-§§10 to 13 are enacted to read:

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

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 subsection, "yield the right-of-way" means to slow or stop to avoid colliding with or causing other harm to a pedestrian.

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-control device conforming to the requirements for these devices is presumed to comply with this chapter.

12. Stop signs. Unless directed to proceed by a law enforcement officer or traffic-control device, a person operating a bicycle or roller skis approaching a stop sign shall stop and:

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

B. Having yielded, a person operating a bicycle or roller skis may proceed. All other operators approaching the intersection shall yield the right-of-way to the person operating a bicycle or roller skis so proceeding.

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 only in the direction designated.

Sec. 8. Maine Revised Statutes headnote amended; revision clause. In the Maine Revised Statutes, Title 29-A, in the title headnote, the words "motor vehicles" are amended to read "motor vehicles and traffic" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.