

## LD 522 Proposed Amendment by Representative Bruce White

Committee: Transportation

LA: JM

File Name: G:\COMMITTEES\TRA\Amendments\131st R1\LD 522

LR (item)#: 1647- Amendment offered by Rep. White

Date: 3-9-2023

### Title: An Act to Require That Motor Vehicles Be Clear of Snow When Operated on Public Ways

Amend the bill as follows:

Amend the bill by inserting the following section:

29-A §2093, is enacted to read:

**1. Snow or ice accumulated.** When operating a vehicle with a gross weight under 10,000 pounds on a public way a person shall take measures to reasonable prevent snow or ice from falling off their vehicle. A person who fails to take reasonable measures to prevent snow or ice from falling off their vehicle on a public way and as result causes damage or injury commits a traffic infraction.

A violation of this section is a traffic infraction subject to a fine of not less than \$150 nor more than \$500. Vehicles with a gross weight over 10,000 pounds are exempt from this section.

Further amend section 1 of the bill as follows:

**Sec. 1. 29-A MRSA §2396, sub-§2,** as amended by PL 2001, c. 144, §2, is further amended to read:

**2. Unsecured load.** A person may not operate on a public way a vehicle with a load that is not fastened, secured, confined or loaded to reasonably prevent a portion from falling off.

For the purposes of this section, "load" includes, but is not limited to, snow or ice, that has naturally accumulated on the top of a vehicle, snow that is part of an actual load, firewood, pulpwood, logs, bolts or other material, but does not include loose hay, pea vines, straw, grain or cornstalks.

When the load consists of sawdust, shavings or wood chips, and a reasonable effort has been made to completely cover the load, minor amounts blown from the vehicle while in transit do not constitute a violation. With regard to snow that has accumulated on the top of a vehicle naturally, a person may not be cited for violating this subsection during a snow event. For the purposes of this subsection, "snow event" means the day of and the 48-hour period after a snowstorm that took place in the area.

## **LD 522 Proposed Amendment by Representative Bruce White**

A violation of this section is a traffic infraction subject to a ~~forfeiture~~ fine of not less than \$150 nor more than \$500.

**Further amend the bill to renumber the sections.**

### **SUMMARY**

This bill creates a new section of law that when operating a vehicle under 10,000 pounds on a public way a person shall take measures to reasonable prevent snow or ice from falling off their vehicle. A person who fails to take reasonable measures to prevent snow from falling of their vehicle on a public and as result causes damage or injury commits a traffic infraction. A violation of this section is a traffic infraction subject to a fine of not less than \$150 nor more than \$500. This bill also adds “snow or ice” to the definition of “load” for purposes of the section on unsecured loads in title 29-A.