

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Prohibit the Use of Engine Brakes on All State Roads under Certain Circumstances**

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

**Sec. 1. 29-A MRSA §1902-A** is enacted to read:

### **§ 1902-A. Engine brakes**

**1. Prohibition.** Except as provided in subsection 3, a person may not use engine brakes on state highways as described in Title 23, section 53 and on the interstate highway as defined in Title 23, section 1903, subsection 3 including that portion designated as the Maine Turnpike from 11 p.m. to 7 a.m. For purposes of this section, “engine brake” means a supplemental brake system that assists in slowing a vehicle, including, but not limited to, compression release engine brakes and engine retarders.

**2. Penalty.** A person who violates this section commits a traffic infraction for which the fines in this subsection are adjudged:

- A. For a first offense, \$50;
- B. For a 2nd offense, \$200; and
- C. For a 3rd or subsequent offense, \$500.

**3. Emergency.** It is a defense to a violation of this section that the operator of a vehicle has used an engine brake in an emergency situation to avoid imminent danger to a person or property.

## **SUMMARY**

This bill prohibits the use of engine brakes on state highways and on the interstate highway, including the Maine Turnpike, from 11 p.m. until 7 a.m., except in the case of an emergency.