

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND NINETEEN

S.P. 53 - L.D. 166

An Act To Protect Schoolchildren by Providing Additional Enforcement and Prevention Options for Unlawful Passing of a School Bus**Be it enacted by the People of the State of Maine as follows:**

Sec. 1. 29-A MRSA §2117, as enacted by PL 2009, c. 223, §1, is amended to read:

§2117. Use of traffic surveillance cameras restricted

~~The~~ Except as provided in subsections 1 and 2, the State or a municipality may not use a traffic surveillance camera to prove or enforce a violation of this Title. For purposes of this section, "traffic surveillance camera" means a device that, in conjunction with a lighted traffic-control device or a lane direction control device, as described in section 2057, subsections 1 and 3, or a speed measurement device as described in section 2075, subsection 4, automatically produces one or more photographs, one or more microphotographs, a videotape or any other recorded image of a vehicle at the time the vehicle is operated in violation of state law.

~~This section does not apply to a photo monitoring system, as defined by Title 23, section 1980, subsection 2-A, paragraph B, subparagraph 4, used by the Maine Turnpike Authority for toll enforcement purposes.~~

1. School buses. The State or a municipality may use a traffic surveillance camera mounted on a school bus in conjunction with a lighted traffic-control device to prove or enforce a violation of section 2308, subsection 2. A photograph, microphotograph, videotape or other recorded image or audio produced by a traffic surveillance camera mounted on a school bus is confidential and may only be released to a law enforcement officer for the purpose of an investigation into a violation of the law or to a law enforcement officer, prosecutor, defendant or court for the purpose of a prosecution of a violation of the law.

The state or a municipality may not retain a photograph, microphotograph, videotape or other recorded image or audio produced by a traffic surveillance camera mounted on a

school bus for more than 30 days from the date of production unless it is released in accordance with this subsection.

For the purposes of this subsection, "prosecutor" means a person who by virtue of public employment is vested by law with a duty to prosecute offenders for crimes, whether that duty extends to all crimes or is limited to specific crimes.

2. Toll enforcement. The Maine Turnpike Authority may use a photo-monitoring system, as defined by Title 23, section 1980, subsection 2-A, paragraph B, subparagraph (4), for toll enforcement purposes.

Sec. 2. 29-A MRSA §2301, sub-§§1-D and 5-C are enacted to read:

1-D. Extended stop arm. "Extended stop arm" means a stop arm that when activated extends 3 to 6 feet outward from the left side of a school bus.

5-C. Stop arm. "Stop arm" means a device mounted on the left side of a school bus that when activated displays a stop sign to traffic in front of and behind that school bus.

Sec. 3. 29-A MRSA §2302, sub-§1, ¶G, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

G. May be equipped with a system of stop arms or extended stop arms to be operated only with the red signal lights; and

Sec. 4. 29-A MRSA §2308, sub-§6, as amended by PL 2019, c. 113, Pt. C, §75, is further amended to read:

6. Penalty. A violation of ~~this section~~ subsection 2 is a Class E crime that is punishable by a \$250 minimum fine for the first offense and a mandatory 30-day suspension of a driver's license for a 2nd offense occurring within 3 years of the first offense.

Sec. 5. 29-A MRSA §2380, sub-§3-A, as enacted by PL 2005, c. 482, §6, is amended to read:

3-A. Maximum width; additional exceptions. In addition to the exceptions in subsection 3, the following are excluded from the measurement of vehicle width:

- A. Reflecting mirrors;
- B. Turn signal lamps; ~~and~~
- C. Appurtenances on motor homes, truck campers and camp trailers, if such appurtenances extend no more than 6 inches from either side of the body of the vehicle; and
- D. Extended stop arms as defined in section 2301, subsection 1-D.