

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 33

H. P. 16 House of Representatives, January 10, 1979
Referred to the Committee on Judiciary and sent up for concurrence.
EDWIN H. PERT, Clerk
Presented by Mr. Cunningham of New Gloucester.
Cosponsors: Mr. Fillmore of Freeport and Mrs. MacBride of Presque Isle.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Require that Persons Committing Traffic Infractions within 6 Months after the Effective Date of the Law Creating the Infraction shall be Issued a Warning Rather than a Court Summons.

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

29 MRSA § 7 is enacted to read:

§ 7. Traffic infractions; warnings

1. **Violations within 6 months of effective date.** Any person who violates a provision of this Title, which violation constitutes a traffic infraction, within 6 months of the effective date of the provision which first designated that conduct as a traffic infraction, shall not, for the first such violation, be issued a summons to court but shall be issued a warning in a form to be designated by the Chief of the State Police.

2. **Contents of warning.** A warning issued pursuant to subsection 1 shall state the conduct which constitutes the infraction and, if the infraction involves circumstances which unless corrected will continue to constitute an infraction, shall also state that the person committing the infraction shall within 5 business days from the date of the warning furnish to the Chief of the State Police reasonable proof of compliance with the provision which the person violated.

3. Failure to comply with warning. Failure to comply with the provisions of a warning issued pursuant to this section shall constitute a Class E crime, except that no person convicted pursuant to this subsection shall be imprisoned for more than 30 days.

STATEMENT OF FACT

The purpose of this bill is to require that persons stopped for traffic violations within 6 months of the enactment of the law creating the violation shall be issued a warning rather than a court summons. This prevents persons from being charged with traffic violations without knowledge of their existence.