

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

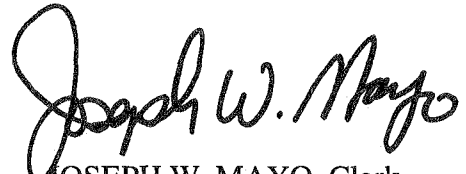
No. 640

H.P. 469

House of Representatives, January 30, 1997

**An Act Requiring Qualified Investigation of Certain Truck-related and
Bus-related Fatalities.**

Reference to the Committee on Transportation suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative LEMKE of Westbrook.
Cosponsored by Senator NUTTING of Androscoggin and
Representative CHIZMAR of Lisbon.

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

2
3 **Sec. 1. 29-A MRSA §2251, sub-§4**, as enacted by PL 1993, c.
4 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

6 **4. Investigation.** A law enforcement officer who
investigates a reportable accident shall:

8 A. Interview participants and witnesses; and

10 B. Within 5 days from the time of notification of the
12 accident, transmit a written report containing all available
information to the Chief of the State Police.

14 Every reported accident must be promptly investigated.

16 If the accident results in serious bodily injury or death of any
18 person, the investigation must be conducted by an officer who has
met the training standards of a full-time law enforcement
20 officer. The investigation of an accident that results in the
22 death of any person and involves a bus or a truck that weighs
24 10,000 pounds or more must be conducted by the investigators from
the State Police accident reconstruction program and the
commercial vehicle enforcement unit. These investigators may
26 travel out of state when necessary in the course of an
investigation. A prosecution arising out of an investigation of
28 an accident that results in the death of any person and involves
a bus or a truck that weighs 10,000 pounds or more must be
30 conducted by the Department of the Attorney General.

32 SUMMARY

34 This bill requires that the investigators from the Maine
State Police accident reconstruction program and the commercial
36 vehicle enforcement unit must investigate a fatal accident
involving a bus or a truck that weighs 10,000 pounds or more.
38 These investigators may travel out of state when necessary in the
course of an investigation. A prosecution arising out of such an
40 investigation must be conducted by the Department of the Attorney
General.