

MAINE STATE LEGISLATURE

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April 28, 1948

To Major Joseph F. Young, Deputy Chief, Maine State Police
Re: Accident Reporting Law

I have your memo of April 27th concerning the interpretation of paragraph 6 of Section 6, Chapter 306, P.L. 1945, which provides for the reporting within 48 hours of any accident resulting in an injury or the death of any person or in property damage to the estimated amount of \$50 or more. You ask the following questions:

"1. Does this apply to one car accidents when no other property is involved? Example. 'A' is operating his own car on a public way. For some reason the car goes off the road over an embankment and damages the car to the extent of \$200. 'A' is not injured - he has caused no other damage, other than to his own car."

My answer to Question 1 is in the affirmative. If anyone is injured or death results or the damage to the vehicle from running into a ditch or other object is beyond \$50, the accident should be reported. One reason for this is that these accident reports are for the purpose of a statistical analysis and for accident prevention purposes.

"2. Does the estimated amount of \$50 or more include the amount of labor cost to repair the car. Example. 'A' has a new car. He comes up behind a truck at a stop sign. 'B', the driver of the truck, backs his truck up instead of going ahead, damaging one fender beyond repair and will have to be replaced with a new one. There is no damage to the truck. A new fender costs \$40. It will cost \$15 for labor to remove the damaged fender and install the new one making a total cost to repair the vehicle, \$55."

My answer to Question 2 is in the affirmative. If the cost of replacement is estimated at more than \$50, it should be reported. I might add that labor is a measure of damages in automobile accidents.

"3. Does the person who leaves a vehicle properly parked at a curb on a public street have to file a written report when run into by another car? Example. 'A' is calling on friends who live on State Street in Augusta. His car is properly and legally parked. 'B' driving his car runs into the car parked by 'A', causing a total amount of damage of \$300."

My answer to Question 3 is in the affirmative, as it would be for the protection of 'A' to file a report, where 'B' ran into his parked car, causing damage of \$300. Another reason is, as I stated in answering Question 1, that these accident reports are used for the purpose of statistical analysis. It is my opinion that the legislature intended that all accidents coming within the meaning of the statute should be reported.

Ralph W. Farris
Attorney General

RWF:c