

# MAINE STATE LEGISLATURE

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DEPARTMENT OF THE ATTORNEY GENERAL  
AUGUSTA, MAINE 04333

March 17, 1980

Honorable John L. Martin  
Speaker of the House  
State House  
Augusta, Maine 04333

Dear Speaker Martin:

You have asked whether the language of 29 M.R.S.A. § 891, which requires all accidents resulting in apparent property damage of \$300 or more to be reported if they occur at "any place where public traffic may reasonably be anticipated," mandates the reporting of accidents occurring on private woods roads in unorganized territories. While the terminology is vague, it is our view that the phrase "any place where public traffic may reasonably be anticipated" is most reasonably construed to mean a place open to public access. Having related the relevant standard, we cannot, however, determine the applicability of the reporting requirement to any particular accident without specific information as to public accessibility to the place where it occurred.

A list of the types of places where accidents are clearly reportable under § 891 would include public and commercial parking areas, and other such places where those who enter are expressly or impliedly invited. After discussions with the Mapping and Research Section of the Right of Way Division of the Department of Transportation, we understand that private woods roads maintained without public funds are generally not accessible nor open to the public. Generally, therefore, accidents occurring on these roads would not be reportable under § 891. However, as noted above, any such determination with respect to a particular private road could be made only after an investigation of public accessibility to the place of the accident at the time of its occurrence.

If you have any further questions on this matter, please feel free to contact me.

Sincerely,  
  
RICHARD S. COHEN  
Attorney General