

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 413

H. P. 311

House of Representatives, January 30, 1973

Referred to the Committee on Judiciary. Sent up for concurrence and ordered printed.

E. LOUISE LINCOLN, Clerk

Presented by Mr. Keyte of Dexter.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT Relating to Identity of Defendant in Suspension
Cases under Motor Vehicle Laws.

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

R. S., T. 29, § 224I, amended. The last paragraph of section 224I of Title 29 of the Revised Statutes, as enacted by chapter 118 of the public laws of 1969, is amended by adding at the end a new sentence to read as follows:

The date of birth and name on the notification of suspension or revocation document shall be prima facie evidence that the named person is the same person as a defendant of the same name and birthday.

STATEMENT OF FACT

There are approximately 525,000 licensees in our driver license file and they are entered by name and date of birth. Of that 525,000, there are approximately 40 duplicates of persons with the same name and the same date of birth.

There have been occasions when defending attorneys have requested that we identify a defendant as being the same person as our records indicate. The adoption of this amendment would transfer the responsibility to the defendant to prove that he is not the same person.

The possibilities of there being a conflict between the defendant and our records are one to 13,000.