

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 982

S. P. 316

In Senate, February 21, 1973
Referred to Committee on Judiciary. Sent down for concurrence and
ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Cianchette of Somerset.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

**AN ACT to Create a Committee to Study the Needs for a Traffic
Court System.**

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

Sec. 1. Committee established. The Commissioner of Transportation shall establish an advisory committee to determine the need for a traffic court system and other methods of handling traffic violations.

Sec. 2. Committee members. Representatives on the advisory committee shall include the Chief Judge of the Maine District Court, the Attorney General, the Secretary of State and the Commissioner of Public Safety, or their delegated representatives, and additional representatives appointed by the Commissioner of Transportation. The Commissioner of Transportation shall serve as chairman of the committee. The appointive members of the committee shall receive no compensation for their services but may be reimbursed for their actual and necessary traveling expenses.

Sec. 3. Report. The department shall report its findings, together with any necessary recommendations or implementing legislation, at the next regular session of the Legislature, at which time the committee shall be terminated.

Sec. 4. Appropriation. There is appropriated from the General Highway Fund the sum of \$2,500 for the fiscal year ending June 30, 1974 and the sum of \$2,500 for the fiscal year ending June 30, 1975 to carry out the purpose of this Act.

FISCAL NOTE

The cost to the General Highway Fund is estimated to be \$5,000.

STATEMENT OF FACT

A significant amount of court cases in the Maine District Court consists of minor traffic violations and under present law such violations, even minor ones, are treated like other criminal offenses. The defendant can demand a jury trial in the Superior Court and the defendant who has a hearing in the District Court can appeal a conviction to the Superior Court and receive the equivalent of a new trial. These traffic cases involve considerable time and delay of court action on more serious matters. Alternative methods of hearing certain motor vehicle violations are being successfully used in other states to alleviate these conditions.

The Maine Department of Transportation, on July 1, 1972, assumed responsibilities for highway safety as a result of the reorganization of State Government. The efficient and effective adjudication of traffic offenders is therefore of concern to the department.