

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

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**Legislative Document**

**No. 1307**

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H. P. 1083

House of Representatives, March 28, 1977

On motion of Mr. Spencer of Standish, referred to Committee on Judiciary.  
Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Tarbell of Bangor.

Cosponsor: Mrs. Locke of Sebec.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-SEVEN

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**AN ACT to Provide a Mandatory Sentence for Leaving the Scene of an  
Accident which Results in Death or Injury.**

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

Sec. 1. 29 MRSA § 893 is repealed and the following enacted in its place:

**§ 893. Accidents involving death or personal injury**

The driver of any vehicle involved in an accident resulting in injury to or death of any person shall immediately stop the vehicle at the scene of the accident or as close thereto as possible, but shall then forthwith return to the scene. The driver shall remain at the scene of the accident until he has given his name, address and the registration number of the vehicle he is driving, and shall, upon request and if available, exhibit his operator's license to the person struck or the driver or occupant of any vehicle collided with, and shall render to any person injured in the accident reasonable assistance. Every stop shall be made without obstructing traffic more than is necessary.

Whoever is convicted of leaving the scene of an accident without stopping and making himself known after causing injury or death to any person shall be punished by a fine of not less than \$100 nor more than \$500 and by imprisonment for not less than 48 hours nor more than 9 months for a first offense, and by a fine of not less than \$200 nor more than \$1,000 and by imprisonment for not less than 4 days nor more than 11 months for a 2nd or subsequent offense. The imposition of the sentence for a person convicted of leaving the scene of an accident without stopping and making himself known

after causing injury or death to any person shall not be suspended and probation shall not be granted.

**Sec. 2.** 29 MRSA § 894, is repealed and the following enacted in its place:  
**§ 894. Accidents involving damage to vehicle**

The driver of any vehicle involved in an accident resulting only in damage to a vehicle which is driven or attended by any person shall immediately stop the vehicle at the scene of the accident or as close thereto as possible, but shall forthwith return to the scene and in every event shall remain at the scene of the accident until he has given his name, address and the registration number of the vehicle he is driving, and exhibited, upon request and if available, his operator's license to the driver or occupant of or person attending any vehicle collided with. Any person violating this section shall be punished by a fine of not less than \$25 nor more than \$100, or by imprisonment for not more than 90 days, or by both.

**Sec. 3.** 29 MRSA § 896 is repealed.

**Sec. 4.** 29 MRSA § 899 is amended to read:

**§ 899. Statewide application**

Sections 893, 894 and ~~896 to~~, 897 and 898 shall apply upon any way or in any other place in the State.

#### STATEMENT OF FACT

This bill would establish the following mandatory sentences for leaving the scene of an accident which results in death or injury:

1. For a first offense, a fine of not less than \$100 nor more than \$500 and imprisonment for not less than 48 hours nor more than 9 months; and

2. For a 2nd or subsequent offense, a fine of not less than \$200 nor more than \$1,000 and imprisonment for not less than 4 days nor more than 11 months.