

MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1736

H. P. 1626

Office of the Clerk of the House

Governor's Bill. Reference to the Committee on Judiciary suggested.

EDWIN H. PERT, Clerk of the House

Presented by Mr. Joyce of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY

AN ACT to Amend the Law Regarding the Reporting of Accidents under the Motor Vehicle Laws.

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

Sec. 1. 29 MRSA § 891, 3rd ¶, first sentence, as repealed and replaced by PL 1971, c. 544, § 97, is further amended to read:

The driver of any vehicle involved in an accident resulting in injuries to or death of any person or property damage to the apparent amount of ~~\$200~~ \$300 or more, or some person acting for him, or the owner of said vehicle having knowledge of the accident should the operator of same be unknown, shall, immediately by the quickest means of communication, give notice of the accident either to a state police officer, or to the nearest state police field office, or to the sheriff's office, or to a deputy sheriff, within the county wherein the accident occurred, or to the office of the police department, or to an officer, of the municipality wherein the accident occurred.

Sec. 2. 29 MRSA § 891, as last amended by PL 1979, c. 480, §§ 1-3, is further amended by adding after the 3rd paragraph, a new paragraph to read:

Any driver of any vehicle involved in an accident of which report is required under this section, who when at the scene of such accident fails or refuses when requested by an officer authorized to make arrests to give his correct name and address shall be punished by a fine of not more than \$100 or by imprisonment for not more than 90 days or by both.

Sec. 3. 29 MRSA § 891, 4th paragraph, as last amended by PL 1973, c. 689, § 3, is further amended to read:

Every law enforcement officer who investigates a motor vehicle accident of which report is required, shall, either at the time and scene of the accident or elsewhere, interview participants and witnesses and shall, ~~within 48 hours after completing the investigation~~ **5 days from the time of notification of accident**, transmit his written report to the Chief of the State Police on **the original** accident form No. 1320 furnished by said Chief of the State Police and such report shall contain all available information.

STATEMENT OF FACT

This change requires that drivers involved in reportable accidents, if at the scene and requested by law enforcement officers, give their names and addresses so that the officers may comply with the statute. Presently a driver is required to give his name and address to any other driver involved and, if requested, exhibit his operator's license. The investigating officers under present statute do not have this authority but have the solemn responsibility of conducting a thorough investigation.

The change to Title 29, section 891, 4th paragraph, is necessary due to the fact that the Chief of the State Police is having difficulty complying with the requirements of Title 29, section 891, 2nd paragraph, in that many reports are submitted on unreadable photocopies usually on 2 pieces of paper greatly slowing proper processing and service to the public. Also, a newly revised version of form 1320 will be provided containing one original with a carbon copy for the reporting agency.