

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 1055

6
7 H.P. 815

House of Representatives, March 4, 1983

8 Referred to the Committee on Appropriations and Financial Affairs. Sent
9 up for concurrence and ordered printed.

10 EDWIN H. PERT, Clerk

11 Presented by Representative Beaulieu of Portland.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT to Share Equitably the Fines and
18 Forfeitures Resulting from Enforcement
19 of the State Motor Vehicle Laws.
20

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

23 29 MRSA §2302, as amended by PL 1981, c. 679,
24 §59, is further amended to read:

25 §2302. Jurisdiction

26 The District Court shall have original and exclu-
27 sive jurisdiction over all prosecutions for traffic
28 infractions. The District Court shall have original
29 and concurrent jurisdiction with the Superior Court
30 over all prosecutions for any other violations of
31 this Title, except Class C or greater crimes, in
32 which case, District Court jurisdiction shall be sub-
33 ject to Title 4, section 152. All fines and forfei-

1 tures collected under this Title shall accrue to the
2 General Fund, except for overload violations, only \$5
3 or 13%, whichever is the greater, of each such over-
4 load fine or forfeiture collected through the Dis-
5 trict Court, shall accrue to the General Fund and the
6 balance thereof shall accrue to the General Highway
7 Fund. All fines and forfeitures collected under this
8 Title shall accrue 1/2 to the General Fund and 1/2 to
9 the municipality in which the violation occurred,
10 except for overload violations, only \$5 or 13%,
11 whichever is the greater, of each overload fine or
12 forfeiture collected through the District Court,
13 shall accrue 1/2 to the General Fund and 1/2 to the
14 municipality and the balance thereof shall accrue to
15 the Highway Fund. The District Court shall keep a
16 record of the amounts owed to a municipality under
17 this section, and shall reimburse each municipality
18 their 1/2 share of the fines and forfeitures in the
19 same manner and on the same timetable as the General
20 Fund is reimbursed.

21

STATEMENT OF FACT

22 At present, municipalities primarily enforce the
23 state motor vehicle laws, but the State receives 100%
24 of all fines obtained through enforcement of those
25 laws. This bill provides an equitable sharing of all
26 fines collected with 1/2 going to the municipality
27 where the violation occurred, and 1/2 to the General
28 Fund. The Highway Fund's share of these fines is not
29 affected by this bill and remains as currently pro-
30 vided.

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