

# MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION  
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE  
4

5 Legislative Document

No. 2302

6  
7 H.P. 1748

House of Representatives, March 19, 1984

8 Reference to the Committee on Judiciary is suggested and ordered  
9 printed.

10 EDWIN H. PERT, Clerk

Presented by Representative Nadeau of Lewiston.

11  
12 STATE OF MAINE  
13

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

17 AN ACT Concerning Use of Computer  
18 Transcripts.  
19

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

22 Sec. 1. 29 MRSA §58-A is enacted to read:

23 §58-A. Computer transcripts

24 1. Transcript. Notwithstanding any other provi-  
25 sion of law, a transcript of entries of conviction,  
26 adjudication, suspension or revocation, or any of  
27 them, in official motor vehicle records stored within  
28 either a computer or other data processing device, if  
29 properly certified, shall be admissible in evidence  
30 in every circumstance in which a properly certified  
31 copy of an official motor vehicle record would be ad-  
32 missible, to show the truth of the facts stated  
33 therein. The transcript shall be afforded prima facie  
34 weight as evidence in any judicial or administrative  
35 proceeding.

1           2. Conviction, adjudication, suspension or revocation.  
2           With respect to a transcript of entries of  
3           conviction, adjudication, suspension or revocation in  
4           official motor vehicle records stored within a com-  
5           puter or other data processing device:

6           A. A clerk or deputy clerk of any District Court  
7           may certify a transcript of motor vehicle data  
8           from all District Courts;

9           B. A clerk or deputy clerk of any Superior Court  
10           may certify a transcript of motor vehicle data  
11           from all Superior Courts; and

12           C. The Secretary of State may certify a tran-  
13           script of motor vehicle data from all courts in  
14           the State, or any of them.

15           Sec. 2. 29 MRSA §2304, as amended by PL 1977, c.  
16           696, §219, is further amended to read:

17           §2304. Conviction record to Secretary of State; pub-  
18           lic record

19           Every court in every case wherein a person is  
20           convicted of or adjudicated to have committed the vi-  
21           olation of any statute or appeals from any conviction  
22           or adjudication relative to motor vehicles or to the  
23           operation of any vehicle shall forthwith transmit to  
24           the Secretary of State an abstract, duly certified,  
25           setting forth therein the name of the court, the  
26           docket number of the case, the names of the parties,  
27           the nature of the offense, the date of the offense,  
28           the date of hearing, the plea, the judgment and the  
29           result; and in cases involving any violation of sec-  
30           tions 1251 to 1254 and 1256, the abstract shall con-  
31           tain the legal speed involved and the speed of which  
32           the person was convicted; and they shall be open to  
33           public inspection during reasonable hours. Said The  
34           judges may make such recommendations to the Secretary  
35           of State as to suspension or revocation of licenses  
36           and certificates of registration of respondents as  
37           they deem to be in furtherance of justice.

38           Where a court is equipped with a computer termi-  
39           nal or other electronic data processing equipment  
40           having the capacity to transmit to and retrieve from

1 the official motor vehicle records of the Secretary  
2 of State all information designated to be included in  
3 the abstract required by this section, the court may  
4 use the computer terminal or electronic data process-  
5 ing equipment in lieu of a written document to commu-  
6 nicate and certify the information to the Secretary  
7 of State.

8

STATEMENT OF FACT

9       This bill affords prima facie evidentiary weight  
10 to computer "printout" type transcripts, when proper-  
11 ly certified, to prove official motor vehicle records  
12 in any judicial or administrative proceeding. It also  
13 designates those officials who have authority to cer-  
14 tify these transcripts.

15       The bill specifies the information to be sent to  
16 the Secretary of State upon conviction or adjudica-  
17 tion of any motor vehicle offense and it authorizes  
18 the use of electronic data processing equipment by  
19 the court clerks in lieu of a written document to  
20 communicate and certify to the Secretary of State  
21 the information required by section 1.

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