

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 709

6
7 S.P. 266

In Senate, February 26, 1985

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

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Sewall of Lincoln.

11
12 STATE OF MAINE
13

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

17 AN ACT to Require Investigations and Reports
18 on All Accidents Involving Police Cars.
19

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

22 25 MRSA c. 257 is enacted to read:

23 CHAPTER 257

24 INVESTIGATION OF MOTOR VEHICLE ACCIDENTS

25 INVOLVING LAW ENFORCEMENT OFFICERS

26 §2201. Definitions

27 As used in this chapter, unless the context oth-
28 erwise indicates, the following terms have the fol-
29 lowing meanings.

30 1. High speed chase. "High speed chase" means
31 the pursuit by a law enforcement officer of a vehicle

1 which is operated in excess of 20 miles per hour of
2 the posted speed limit and for the purpose of escap-
3 ing apprehension by a law enforcement officer.

4 §2202. Investigation

5 The Commissioner of Public Safety shall investi-
6 gate any motor vehicle accidents in the State which
7 involve a motor vehicle operated by a state, county
8 or municipal law enforcement officer while on duty.
9 The purpose of the investigation shall be to deter-
10 mine if excess speed or a high speed chase was
11 causally related to the accident.

12 §2203. Report

13 If the commissioner determines that excess speed
14 or a high speed chase was a cause of the accident, he
15 shall issue a report of his findings to the state,
16 county or municipal agency having supervision over
17 the law enforcement officer. The findings shall in-
18 clude an assessment of the propriety and necessity of
19 the speed. These findings shall be kept on file and
20 shall be accessible to the public.

21 §2204. Use of report

22 A report pursuant to this chapter shall be in ad-
23 dition to any other report required by law or rule
24 and may be used in legal or administrative action
25 against a law enforcement officer.

26 STATEMENT OF FACT

27 The purpose of this bill is to require that the
28 Commissioner of Public Safety investigate motor vehi-
29 cle accidents involving law enforcement officers to
30 determine if excess speed or a high speed chase may
31 have caused the accident. The commissioner will re-
32 port to the officer's supervisory unit.

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