

MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1961

H.P. 1450 House of Representatives, January 7, 1988
Approved for introduction by a majority of the
Legislative Council pursuant to Joint Rule 26.

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

EDWIN H. PERT, Clerk
Presented by Representative McGOWAN of Canaan.
Cosponsored by Speaker MARTIN of Eagle Lake,
Representatives CHONKO of Topsham and DEXTER of Kingfield.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-EIGHT

1 **AN ACT Concerning High Speed Chases.**
2

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

5 Sec. 1. 29 MRSA §2501-A, sub-§3, as amended by
6 PL 1983, c. 181, §1, is further amended to read:

7 3. Eluding an officer. Whoever, after being
8 requested or signaled to stop, attempts to elude a law
9 enforcement officer by driving a vehicle at a reckless

1 rate of speed which results in a high-speed chase
2 between the operator's vehicle and any law enforcement
3 vehicle using a blue light or siren is guilty of a
4 Class B C crime. If any person suffers any serious
5 bodily injury, as defined in Title 17-A, section 2,
6 subsection 23, as a result of the operator's attempt
7 to elude a law enforcement officer as described in
8 this section, that operator commits a Class E B
9 crime.

10 Sec. 2. 29 MRSA §2501-A, sub-§5 is enacted to
11 read:

12 5. Forfeiture. Any violation of subsection 3 or
13 4 shall also constitute a civil violation for which
14 impoundment and forfeiture proceedings shall be
15 initiated. If the vehicle is abandoned, lost or
16 stolen, it shall be disposed of in accordance with
17 Title 25, chapter 401. If the owner of the vehicle is
18 unknown, the State shall perfect title to that vehicle
19 in accordance with Title 15, section 5823.

20 Sec. 3. Department of Public Safety study. The
21 Commissioner of Public Safety shall investigate and
22 develop new techniques for the apprehension of the
23 operator of a motor vehicle engaged in a high-speed
24 chase, in which the vehicle is attempting to elude a
25 law enforcement officer or to pass a roadblock, in
26 accordance with the Maine Revised Statutes, Title 29,
27 section 2501-A, subsections 3 and 4. The commissioner
28 may consult other states currently investigating
29 techniques of stopping a violator and may consider
30 such issues as civil liability of the municipality or
31 State under the Maine Tort Claims Act, Title 14,
32 chapter 741, and other applicable provisions of law.

33 STATEMENT OF FACT

34 This bill seeks to reduce the number of high-speed
35 chases by increasing the penalty for the offense of
36 attempting to elude a police officer, by providing for
37 the forfeiture of a vehicle used in a high-speed
38 chase, and by authorizing the Department of Public

1 Safety to study ways of enabling law enforcement
2 officers to develop new techniques and devices to
3 apprehend a driver of a motor vehicle who is
4 attempting to elude a law enforcement officer or pass
5 a roadblock.

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