

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
115TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 208, L.D. 299, Bill, "An Act Regarding the Filing of a Uniform Traffic Ticket and Complaint by Law Enforcement Officers"

Amend the bill in subsection 4-A in the next to the last line (page 1, line 12 in L.D.) by striking out the following: "within 72 hours of" and inserting in its place the following: "without undue delay and, in any event, within 5 days after"

Further amend the bill by inserting before the statement of fact the following:

FISCAL NOTE

The estimated increase of revenues for the biennium is as follows:

	1991-92	1992-93
General Fund	\$4,000	\$4,800

This bill requires law enforcement officers to file a Uniform Traffic Ticket and Complaint within 5 days of its issuance to assist in the collection of fines. This will result in a minimal increase in the number of cases each month in which a fine will be collected that otherwise could not have been collected because there was no ticket on file at the time the offender attempted to make payment. Consequently, General Fund revenue will increase by \$4,000 in fiscal year 1991-92 and \$4,800 in fiscal year 1992-93.

The State Police could also incur additional costs to meet the deadline. However, the impact is expected to be minimal and

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would be absorbed by the Department of Public Safety utilizing existing budgeted resources.'

STATEMENT OF FACT

This amendment lengthens the time period for filing a Uniform Traffic Ticket and Complaint from the 3 days suggested in the bill to 5 days. The Maine Revised Statutes, Title 1, section 71, subsection 12 provides that time periods established by law must be computed under the Maine Rules of Civil Procedure, Rule 6(a) for civil cases and the Maine Rules of Criminal Procedure, Rule 45(a) for criminal cases. These rules provide that when a period of less than 7 days is prescribed, intermediate Saturdays, Sundays and holidays are excluded in the computation. In short, this means that law enforcement officers have 5 business days after the Uniform Traffic Ticket and Complaint is issued to file it with the court.

This amendment also adds a fiscal note.

Reported by the Committee on Judiciary
Reproduced and distributed under the direction of the Clerk of the House
3/27/91 (Filing No. H-56)