

MAINE STATE LEGISLATURE

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R 26

L.D. 860

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TRANSPORTATION

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
117TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 637, L.D. 860, Bill, "An Act to Ensure the Integrity of the Maine Turnpike Electronic Toll System"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 23 MRSA §1964, sub-§5-B is enacted to read:

5-B. Law enforcement officer. "Law enforcement officer" means a person who by virtue of public employment is vested by law with a duty to maintain public order or to make arrests for crimes, whether that duty extends to all crimes or is limited to specific crimes.

Sec. 2. 23 MRSA §1980, sub-§2-B, ¶B, as enacted by PL 1993, c. 698, §2, is amended to read:

B. Notwithstanding any other provision of law, a photograph, micro-photograph, videotape or other recorded image prepared for enforcement of authority tolls is for the exclusive use of the authority in the discharge of its duties under this section. This material is confidential and is not available to the public. The authority shall make this information available to a law enforcement officer upon request. The material is not available to the public and, except Except as provided in this subsection or as may

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be necessary to prove a claim for indemnification under subsection 2-A, paragraph H, F or to prosecute a criminal offense, this material may not be used in a court in an action or proceeding.

Sec. 3. 23 MRSA §1982 is enacted to read:

§1982. Confidentiality of authority records

A log or record identifying the name, address or travel patterns of a patron of the turnpike, whether prepared for enforcement of authority tolls or other purposes of the authority, is for the exclusive use of the authority in the discharge of its duties under this chapter. This material is confidential and is not available to the public except that a law enforcement officer or a representative of an insurance company making a request for specific records in the course of conducting the officer's or representative's business may have access to this material to the extent and in the manner access to such material is afforded under Title 1, chapter 13, subchapter I. The authority may release accident and other incident reports to affected parties and may release information specific to a commuter pass account or commercial billing account to the holder of that account.'

STATEMENT OF FACT

This amendment clarifies that photographs and other images for enforcement of tolls are confidential. The Maine Turnpike Authority must make this information available to law enforcement officers upon request. The amendment makes logs and records of the authority confidential. The authority may make specific records available to law enforcement officers and representatives of insurance companies and may release accident and incident reports to affected parties. This amendment also corrects a cross-reference.