

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 598

H.P. 470

House of Representatives, February 8, 2001

**An Act to Require Investigating Officers to Make Reports to the
Secretary of State.**

Reference to the Committee on Transportation suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative LESSARD of Topsham.
Cosponsored by Senator DAVIS of Piscataquis and
Representatives: CARR of Lincoln, GERZOFKY of Brunswick.

2 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 29-A MRSA §2251, sub-§4,** as amended by PL 1997, c.
172, §1, and c. 178, §3, is further amended to read:

6 **4. Investigation.** A law enforcement officer who
investigates a reportable accident shall:

8 A. Interview participants and witnesses; and

10 A-1. Determine whether the operator of a vehicle involved
12 in a reportable accident has a policy in the amounts of
14 financial responsibility required pursuant to section 1605
at the time of the accident; and

16 B. Within 5 days from the time of notification of the
18 accident, transmit the original written report containing
all available information to the Chief of the State Police
and a copy of the report to the Secretary of State.

20 Every reported accident must be promptly investigated.

22 If the accident results in serious bodily injury or death of any
24 person, the investigation must be conducted by an officer who has
met the training standards of a full-time law enforcement
26 officer. A law enforcement officer who investigates an accident
involving a bus or truck with a gross vehicle weight rating or a
28 registered weight in excess of 10,000 pounds that results in the
death of any person shall request a certified accident
30 reconstructionist and the Bureau of State Police Commercial
Vehicle Enforcement Unit to assist in the investigation of the
32 accident. The Attorney General shall designate an assistant
attorney general familiar with federal commercial vehicle laws
34 and regulations to serve as a resource to any district attorney
who initiates a prosecution arising from an accident involving a
36 bus or truck with a gross vehicle weight rating or a registered
weight in excess of 10,000 pounds that results in the death of
38 any person.

40 **Sec. 2. 29-A MRSA §2251, sub-§6,** as enacted by PL 1993, c.
683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

42 **6. Financial responsibility information.** The 48-hour
44 accident report form must also contain, as prescribed by the
Secretary of State, information to determine whether the
46 requirement for proof of financial responsibility is inapplicable.

48 The person reporting shall furnish additional relevant
information as the Secretary of State requires.

50

2 The Secretary of State may rely on the accuracy of the
information in the 48-hour accident report until there is reason
to believe that the information is erroneous.

4
6 The Secretary of State shall review the accident report filed by
the investigating officer and determine whether further
8 investigation of the existence of financial responsibility is
needed.

10
12 **SUMMARY**

14 Current law requires a law enforcement officer to
investigate any motor vehicle accident resulting in bodily injury
16 or death to a person or apparent property damage of at least
\$1,000. The officer is required to transmit a report to the
Chief of the State Police.

18
20 This bill requires the investigating officer to specifically
check whether a motor vehicle operator involved in an accident
has valid liability insurance at the time of the accident and to
22 provide a copy of the report to the Secretary of State. The
Secretary of State is authorized to investigate further whether
24 the operator has valid liability insurance.