

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 948

H.P. 728

House of Representatives, February 20, 2001

An Act Creating a Pilot Project to Provide Video Camera Surveillance at Intersections in Ellsworth.

Reference to the Committee on Transportation suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative POVICH of Ellsworth.
Cosponsored by Senator GOLDTHWAIT of Hancock and
Representatives: CLARK of Millinocket, PINKHAM of Lamoine, Senator: McALEVEY of
York.

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

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Sec. 1. 29-A MRSA §2057, sub-§1-A is enacted to read:

1-A. Registered owner's liability for vehicle failing to obey a traffic-control device. A person who is a registered owner of a vehicle at the time that vehicle is involved in a violation of subsection 1 commits a traffic infraction unless a defense applies pursuant to paragraph C. For purposes of this subsection, "registered owner" includes a person issued a dealer or transporter registration plate.

A. A law enforcement officer may cause the registered owner of a vehicle to be served with a summons for a violation of this subsection.

B. Except as provided in paragraph C, it is not a defense to a violation of this subsection that a registered owner was not operating the vehicle at the time of the violation.

C. The following are defenses to a violation of this subsection.

(1) If a person other than the registered owner is operating the vehicle at the time of the violation of subsection 1 and is convicted of that violation, the registered owner may not be found in violation of this subsection.

(2) If the registered owner is a lessor of vehicles and at the time of the violation the vehicle was in the possession of a lessee and the lessor provides the law enforcement officer with a copy of the lease agreement containing the information required by section 254, the lessee, not the lessor, may be charged under this subsection.

(3) If the vehicle is operated using a dealer or transporter registration plate and at the time of the violation the vehicle was operated by any person other than the dealer or transporter and if the dealer or transporter provides the investigating officer with the name and address of the person who had control over the vehicle at the time of the violation, that person, not the dealer or transporter, may be charged under this subsection.

(4) If a report that the vehicle was stolen is given to a law enforcement officer or agency before the violation occurs or within a reasonable time after the

2 violation occurs and an investigation determines the
3 vehicle was stolen, the registered owner may not be
4 charged under this subsection.

6 This subsection is repealed December 31, 2003.

8 **Sec. 2. Appropriation.** The following funds are appropriated
from the General Fund to carry out the purposes of this Act.

10 2001-02

12 **ADMINISTRATIVE AND FINANCIAL**
13 **SERVICES, DEPARTMENT OF**

14 **Miscellaneous Acts and Resolves**

16 All Other \$75,000

18 Provides funding to the City of Ellsworth
20 for a 2-year pilot project to enable its
22 police department to enforce the laws
governing traffic control devices using a
24 video camera. This funding enables the city
to purchase a video camera and equip 5
26 intersections in the city to accommodate the
camera. Any fines collected pursuant to
28 this law enforcement effort must be used to
defray the costs of the pilot project.

30 **SUMMARY**

32 This bill provides funding to the City of Ellsworth for a
34 2-year pilot project to enable its police department to enforce
the laws governing traffic control devices using a video camera.
36 This funding enables the city to purchase a video camera and
equip 5 intersections in the city to accommodate the camera. The
38 bill also provides that a person who is a registered owner of a
vehicle at the time that vehicle is involved in a violation of
40 the laws governing traffic control devices commits a traffic
infraction unless a defense applies.

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