

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

*ms*  
R.d.S.

L.D. 1480

DATE: 5/7/01

(Filing No. H-356)

TRANSPORTATION  
MINORITY

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
120TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1111, L.D. 1480, Bill, "An Act to Promote Driver Responsibility"

Amend the bill by striking out the title and substituting the following:

**'An Act to Promote Operator Responsibility'**

Further amend the bill by striking out all of section 2 and inserting in its place the following:

**'Sec. 2. 29-A MRSA §2413**, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

**§2413. Driving or riding to endanger**

**1. Definition.** A person commits a Class E crime if, with criminal negligence as defined in Title 17-A, that person drives a motor vehicle or rides a bicycle in any place in a manner that endangers the property of another or a person, including the operator or passenger in the motor vehicle being driven or the bicycle being ridden.

**2. Allegation of facts.** In pleading under this section, it is not necessary to allege specifically the facts that constitute criminal negligence.

**3. Penalties.** In addition to any other penalty, if the person is the driver of a motor vehicle, the court shall suspend the driver's license for not less than 30 days nor more than 180 days, which minimum may not be suspended. If the court fails to

**COMMITTEE AMENDMENT**

R of S.

2 suspend the license, the Secretary of State shall impose the  
3 minimum period of suspension. If the person endangered is a  
4 bicyclist or pedestrian, the court shall consider this an  
5 aggravating factor in imposing a sentence.

6 **4. Exception.** This section does not apply to the operation  
7 of a vehicle:

8  
9 A. In racing events and exhibitions at which the public  
10 does not have access to the operating area; or

11 B. On private land to which the public does not have access  
12 when used by or with authorization of the landowner.

13  
14 **5. Notice.** The court shall give notice of the suspension  
15 and take physical custody of a driver's license as provided in  
16 section 2434.'

17  
18 Further amend the bill by inserting at the end before the  
19 summary the following:

20  
21  
22 **FISCAL NOTE**

23  
24 This bill may increase prosecutions for Class E crimes. If  
25 a jail sentence is imposed, the additional costs to the counties  
26 are estimated to be \$83.36 per day per prisoner. The number of  
27 prosecutions that may result in a jail sentence and the resulting  
28 costs to the county jail system are expected to be insignificant.

29  
30 The additional workload and administrative costs associated  
31 with the minimal number of new cases filed in the court system  
32 can be absorbed within the budgeted resources of the Judicial  
33 Department. The collection of additional fines may increase  
34 General Fund revenue by minor amounts.'

35  
36  
37 **SUMMARY**

38  
39 This amendment widens the scope of driving to endanger to  
40 include riding a bicycle to endanger. It also requires courts to  
41 consider the fact that a person endangered is a bicyclist or  
42 pedestrian as an aggravating factor in imposing a sentence.

43  
44 The amendment also adds a fiscal note to the bill.