

# MAINE STATE LEGISLATURE

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# 120th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2001

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Legislative Document

No. 1480

H.P. 1111

House of Representatives, March 8, 2001

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**An Act to Promote Driver Responsibility.**

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Reference to the Committee on Transportation suggested and ordered printed.

*Millicent M. MacFarland*

MILLICENT M. MacFARLAND, Clerk

Presented by Representative McLAUGHLIN of Cape Elizabeth.  
Cosponsored by Senator O'GARA of Cumberland and  
Representatives: BLANCHETTE of Bangor, MAYO of Bath, McNEIL of Rockland,  
NORTON of Bangor, TOBIN of Windham, Senators: DOUGLASS of Androscoggin,  
KILKELLY of Lincoln, YOUNGBLOOD of Penobscot.

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

4 **Sec. 1. 29-A MRSA §101, sub-§9-A** is enacted to read:

6 **9-A. Bicyclist.** "Bicyclist" means any person who is riding upon, operating or straddling a bicycle.

8 **Sec. 2. 29-A MRSA §2413, sub-§§1 and 3,** as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, are amended to read:

10 **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 in any place in a manner that endangers the property of another or a person, including a bicyclist, a pedestrian and the operator or passenger in the motor vehicle being driven.

18 **3. Penalties.** In addition to any other penalty, the court shall suspend the driver's license for ~~not less than 30 days nor~~ no more than 180 days, of which minimum 30 days may not be suspended. If the court fails to suspend the license, the Secretary of State shall impose the minimum period of suspension. If the person endangered is a bicyclist or a pedestrian, the court shall suspend the driver's license for at least 60 days and shall impose a fine of \$250, neither of which may be suspended. In addition, the court shall require that the driver attend and successfully complete a defensive driving course as described in Title 23, section 4208.

30 **SUMMARY**

32 This bill clarifies that endangerment of bicyclists and pedestrians is included in the definition of driving to endanger. In addition to other penalties, if the person endangered is a bicyclist or a pedestrian, then the court shall suspend the driver's license for 60 days, none of which may be suspended, and impose a fine of not less than \$250, which fine may not be suspended. The court shall also require that the driver attend and successfully complete a defensive driving course.