



122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 280

H.P. 205

House of Representatives, January 18, 2005

An Act To Amend the Penalties Involving High-speed Vehicle Pursuits

Reference to the Committee on Transportation suggested and ordered printed.

Millicent M. Mac Failand

MILLICENT M. MacFARLAND Clerk

Presented by Representative MAKAS of Lewiston. Cosponsored by Senator DIAMOND of Cumberland and Representatives: BLANCHETTE of Bangor, CHURCHILL of Washburn, GREELEY of Levant, GROSE of Woolwich, PARADIS of Frenchville, Senators: ANDREWS of York, COURTNEY of York, NUTTING of Androscoggin.

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

Sec. 1. 29-A MRSA §2414, sub-§3, as affected by PL 1995, c. 65, Pt. A, §153, amended by Pt. C, §12 and affected by §15, is further amended to read:

3. Eluding an officer. A person commits a Class C crime if
8 that person, after being requested or signaled to stop, attempts to elude a law enforcement officer by operating a motor vehicle
10 at a reckless rate of speed that results in a high-speed chase between the operator's motor vehicle and a law enforcement
12 vehicle using a blue light and siren. The court shall impose a mandatory term of imprisonment of at least one year, which may not be suspended, for a violation of this subsection.

16 Sec. 2. 29-A MRSA §2414, sub-§6, as amended by PL 2003, c. 452, Pt. Q, §86 and affected by Pt. X, §2, is further amended to read:

6. Aggravating factor; eluding an officer. A person commits a Class B crime if that person attempts to elude a law enforcement officer and another person suffers serious bodily injury, as defined in Title 17-A, section 2, subsection 23, as a result. The court shall impose a mandatory term of imprisonment of at least 2 years, which may not be suspended, for a violation of this subsection.

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SUMMARY

This bill creates a mandatory minimum sentence of one year 32 of imprisonment for eluding a police officer and a mandatory minimum sentence of 2 years of imprisonment if serious bodily 34 injury results to another person.