MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 1121

H.P. 774

House of Representatives, March 1, 2005

An Act To Establish Owner Liability for Failure To Stop for a Police Officer

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

Millient M. Macfarland MILLICENT M. MacFARLAND Clerk

Presented by Representative FISCHER of Presque Isle.

B	e it enacted by the People of the State of Maine as follows:
	Sec. 1. 29-A MRSA §2414-A is enacted to read:
§ 2	2414-A. Owner liability for failure to stop for law enforcement officer
is	1. Refusing to stop for law enforcement officer. A person to is a registered owner of a vehicle at the time that vehicle operated by another person in a violation under section 2414, obsection 2 commits a traffic infraction.
in	2. Eluding officer. A person who is a registered owner of vehicle at the time that vehicle is operated by another person a violation under section 2414, subsection 3 commits a Class Dime.
рe	3. Passing roadblock. A person who is a registered owner a vehicle at the time that vehicle is operated by another erson in a violation under section 2414, subsection 4 commits a ass D crime.
pe su se	4. Aggravating factor. A person who is a registered owner a vehicle at the time that vehicle is operated by another erson and is involved in a violation under section 2414, absection 3 or 4, and a person other than the operator suffers erious bodily injury, as defined in Title 17-A, section 2, absection 23, as a result, commits a Class C crime.
se	5. Owner not operator of vehicle. Except as provided in absection 6, it is not a defense to a violation under this ection that a registered owner was not operating a vehicle at the time of a violation under subsection 1, 2, 3 or 4.
<u>tł</u>	6. Defenses. The following are defenses to a violation of ais section.
	A. If a person other than the registered owner is convicted
	of operating a vehicle at the time of a violation under section 2414, subsection 2, 3, 4, 5, 6 or 7, then the registered owner may not be found in violation under this
	section.
	B. If the registered owner is a lessor of vehicles and at the time of a violation a vehicle was in the possession of a
	lessee, and if the lessor provides the investigating officer with a copy of the lease agreement containing the
	information required by section 254, then the lessee, not the lessor, must be charged under this section.

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	C. If a vehicle is operated using a dealer or transporte
2	registration plate and at the time of a violation th
	vehicle was operated by a person other than the dealer o
4	transporter, and if the dealer or transporter provides th
	investigating officer with the name and address of the
6	person who had been given control over the vehicle by th
	dealer or transporter at the time of the violation, the
8	that person, not the dealer or transporter, must be charge
	under this section.
10	
	D. If a report that a vehicle was stolen is given to a law
12	enforcement officer or agency before a violation occurs of
	within a reasonable time after the violation occurs, the
14	the registered owner may not be charged under this section.
16	CVIN EN E A VOVI
10	SUMMARY
18	
	This bill establishes owner liability for failure to stop
20	vehicle for a police officer