

MAINE STATE LEGISLATURE

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R. G. S.

L.D. 441

Date: 4/10/9

(Filing No. H- 78)

Majority

CRIMINAL JUSTICE AND PUBLIC SAFETY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
124TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 329, L.D. 441, Bill, "An Act To Establish the Crime of Motor Vehicle Violation Resulting in Death"

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

'An Act To Establish the Civil Violation of Motor Vehicle Violation Resulting in Death'

Amend the bill in section 1 in §2413-A in subsection 1 in the first line (page 1, line 4 in L.D.) by striking out the following: "the Class D crime" and inserting the following: 'the civil violation'

Amend the bill in section 1 in §2413-A in subsection 1 in the 3rd and 4th lines (page 1, lines 6 and 7 in L.D.) by striking out the following: "Violation of this section is a strict liability crime as defined in Title 17-A, section 34, subsection 4-A."

Amend the bill by in section 1 in §2413-A by inserting after subsection 2 the following:

'3. Penalties. A person who violates this section commits a civil violation for which a fine of not more than \$5,000 may be adjudged. Any portion of the fine adjudged may be satisfied by a court-ordered requirement of community service work. The court shall also impose a license suspension of up to 4 years.'

SUMMARY

This amendment is the majority report. Instead of creating a new crime, it establishes the civil violation of motor vehicle violation resulting in death. A person commits the civil violation if the person, while operating a motor vehicle and committing a traffic

COMMITTEE AMENDMENT

R. et S.

COMMITTEE AMENDMENT "A" to H.P. 329, L.D. 441

1 infraction, causes the death of another person. The penalty for this violation is a
2 mandatory license suspension of up to 4 years and may also include a fine not to exceed
3 \$5,000 and community service work.

FISCAL NOTE REQUIRED

(See attached)



124th MAINE LEGISLATURE

LD 441

LR 846(02)

An Act To Establish the Crime of Motor Vehicle Violation Resulting in Death

Fiscal Note for Bill as Amended by Committee Amendment "A"
Committee: Criminal Justice and Public Safety
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund
Minor revenue increase - General Fund

Correctional and Judicial Impact Statements

Increases the number of civil violations.
The collection of additional fees may also increase General Fund revenue by minor amounts.