



AUGUSTA, MAINE

124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document		No. 441
H.P. 329	House of Representatives, Februar	ry 10, 2009

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

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

Millicent M. Mac Jailand

MILLICENT M. MacFARLAND Clerk

Presented by Representative CROCKETT of Augusta.

Cosponsored by Representatives: BLODGETT of Augusta, BROWNE of Vassalboro, CLARK of Millinocket, DAVIS of Sangerville, HASKELL of Portland, MAGNAN of Stockton Springs, SMITH of Monmouth, Senator: DIAMOND of Cumberland.

1	Be it enacted by the People of the State of Maine as follows:
2	Sec. 1. 29-A MRSA §2413-A is enacted to read:
3	§2413-A. Motor vehicle violation resulting in death
4 5 6 7	1. Offense. A person commits the Class D crime of motor vehicle violation resulting in death if that person, while operating a motor vehicle and committing a traffic infraction, causes the death of another person. Violation of this section is a strict liability crime as defined in Title 17-A, section 34, subsection 4-A.
8 9 10	2. Pleading and proof. The State must prove that the defendant's committing a traffic infraction while operating a motor vehicle caused the death under subsection 1. The court shall apply Title 17-A, section 33 in assessing any causation under this section.
11	SUMMARY
12 13 14	This bill creates the Class D strict liability crime of motor vehicle violation resulting in death. A person commits the crime if that person, while operating a motor vehicle and committing a traffic infraction, causes the death of another person.

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