

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)



125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 1167

H.P. 865

House of Representatives, March 17, 2011

An Act To Protect the Privacy of Persons Involved in Reportable Motor Vehicle Accidents

Submitted by the Department of Public Safety pursuant to Joint Rule 204.
Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Representative CEBRA of Naples.
Cosponsored by Senator COLLINS of York and
Representatives: CLARK of Millinocket, HASKELL of Portland, KNAPP of Gorham, PARRY
of Arundel, PEOPLES of Westbrook, PLUMMER of Windham, RIOUX of Winterport,
Senator: DIAMOND of Cumberland.

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

2 **Sec. 1. 29-A MRSA §2251, sub-§7**, as amended by PL 2003, c. 709, §4, is
3 further amended to read:

4 **7. Report information.** An accident report made by an investigating officer or a
5 48-hour report made by an operator as required by former subsection 5 is for the purposes
6 of statistical analysis and accident prevention.

7 A report or statement contained in the accident report, or a 48-hour report as required by
8 former subsection 5, a statement made or testimony taken at a hearing before the
9 Secretary of State held under section 2483, or a decision made as a result of that report,
10 statement or testimony may not be admitted in evidence in any trial, civil or criminal,
11 arising out of the accident.

12 A report may be admissible in evidence solely to prove compliance with this section.

13 ~~The Chief of the State Police~~ A law enforcement officer may disclose the date, time and
14 location of the accident and the names and ~~addresses~~ municipalities of residence of
15 operators, owners, injured persons, witnesses and the investigating officer. On written
16 request, ~~the chief~~ a law enforcement officer or agency may furnish a ~~photocopy~~ copy of
17 the investigating officer's report ~~at the expense of the person making the request~~ to any
18 person who was involved in the accident that is the subject of the report, or to any such
19 person's attorney, insurance representative, authorized agent, spouse or next of kin. The
20 cost of furnishing a copy of the report is not subject to the limitations of Title 1, section
21 408, subsection 3.

22 The State Police may publicly disseminate aggregated nonpersonally identifying accident
23 report data that is contained in an accident report database maintained, administered or
24 contributed to by the Department of Public Safety, Bureau of State Police. The cost of
25 furnishing a copy of such data is not subject to the limitations of Title 1, section 408.

26 **SUMMARY**

27 This bill permits law enforcement officers to disclose certain information relating to
28 motor vehicle accidents and permits law enforcement officers to furnish a copy of a
29 motor vehicle accident report only to certain individuals specified in the bill. The bill
30 also provides greater protection of the personal privacy of individuals who are involved
31 in motor vehicle accidents and allows aggregated nonpersonally identifying accident
32 report data to be publicly disseminated.