

MAINE STATE LEGISLATURE

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Date: 5/28/13

L.D. 919
(Filing No. H-251)

TRANSPORTATION

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
126TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 643, L.D. 919, Bill, "An Act Concerning the Monetary Amount of Damage That Defines a Reportable Motor Vehicle Accident"

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

'An Act To Require an Operator To Provide Evidence of Liability Insurance or Financial Responsibility at the Scene of an Accident'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 29-A MRSA §2252, as amended by PL 1999, c. 670, §1, is further amended to read:

§2252. Accidents involving death or personal injury

1. Operator required to stop. The operator of a vehicle involved in an accident anywhere that results in personal injury or death to a person shall immediately stop the vehicle at the scene of the accident or stop as close as possible and immediately return to the scene.

2. Provide information. The operator shall remain at the scene and provide to the injured person or someone acting for the injured person or the operator or an occupant of the other vehicle:

- A. The operator's name and address;
- B. The registration number of the operator's vehicle; ~~and~~
- C. An opportunity to examine the driver's license if the ~~other injured person or someone acting for the injured person or the operator~~ or an occupant of the other vehicle so requests and the license is available; ~~and~~
- D. Evidence of liability insurance or financial responsibility as required by section 1601 if the injured person or someone acting for the injured person or the operator or occupant of the other vehicle so requests.

COMMITTEE AMENDMENT

1 **3. Render assistance.** The operator shall render reasonable assistance to an injured
2 person.

3 **4. Violation.** A person commits a Class D crime if that person fails to comply with
4 this section, except that a person commits a traffic infraction if that person fails to comply
5 with subsection 2, paragraph D.

6 **5. Aggravated punishment category.** Notwithstanding subsection 4, a person
7 commits a Class C crime if that person intentionally, knowingly or recklessly fails to
8 comply with this section and the accident resulted in serious bodily injury, as defined in
9 Title 17-A, section 2, subsection 23, or death.

10 **6. Dismissal.** The clerk of the District Court Violations Bureau or trial court shall
11 dismiss a Violation Summons and Complaint charging a person with a violation of
12 subsection 2, paragraph D if that person:

13 A. Shows the issuing law enforcement officer satisfactory evidence of liability
14 insurance or financial responsibility that was in effect at the time of the alleged
15 violation and the issuing officer notifies the violations bureau of that fact; or

16 B. Files a timely answer to a Violation Summons and Complaint alleging a violation
17 of subsection 2, paragraph D and that person presents to the court at the time of trial
18 satisfactory evidence of liability insurance or financial responsibility that was in
19 effect at the time of the alleged violation.

20 **Sec. 2. 29-A MRS §2253**, as enacted by PL 1993, c. 683, Pt. A, §2 and affected
21 by Pt. B, §5, is amended to read:

22 **§2253. Accidents involving vehicle damage**

23 **1. Operator required to stop.** The operator of a vehicle involved in an accident
24 that results in damage to an attended vehicle shall immediately stop the vehicle at the
25 scene of the accident or stop as close as possible and immediately return to the scene.

26 **2. Provide information.** The operator shall remain at the scene and provide to the
27 operator or an occupant of the other vehicle:

28 A. The operator's name and address;

29 B. The registration number of the operator's vehicle; and

30 C. An opportunity to examine the driver's license if the other operator or an
31 occupant so requests and the license is available; and

32 D. Evidence of liability insurance or financial responsibility as required by section
33 1601 if the other operator or an occupant so requests.

34 **3. Violation.** A person commits a Class E crime if that person fails to comply with
35 this section, except that a person commits a traffic infraction if that person fails to comply
36 with subsection 2, paragraph D.

37 **4. Dismissal.** The clerk of the District Court Violations Bureau or trial court shall
38 dismiss a Violation Summons and Complaint charging a person with a violation of
39 subsection 2, paragraph D if that person:

1 A. Shows the issuing law enforcement officer satisfactory evidence of liability
2 insurance or financial responsibility that was in effect at the time of the alleged
3 violation and the issuing officer notifies the violations bureau of that fact; or

4 B. Files a timely answer to a Violation Summons and Complaint alleging a violation
5 of subsection 2, paragraph D and that person presents to the court at the time of trial
6 satisfactory evidence of liability insurance or financial responsibility that was in
7 effect at the time of the alleged violation.

8 **Sec. 3. 29-A MRSA §2254**, as enacted by PL 1993, c. 683, Pt. A, §2 and affected
9 by Pt. B, §5, is amended to read:

10 **§2254. Accidents involving unattended vehicle**

11 **1. Operator required to stop.** The operator of a vehicle involved in an accident
12 that results in damage to an unattended vehicle shall immediately stop the vehicle at the
13 scene of the accident or stop as close as possible and immediately return to the scene.

14 **2. Provide information.** The operator shall notify the owner or operator of the
15 unattended vehicle or shall leave on that vehicle in a conspicuous place a statement
16 containing:

- 17 A. The operator's name and address;
18 B. The registration number of the operator's vehicle; and
19 C. A statement of the circumstances of the accident.

20 **2-A. Evidence of financial responsibility.** The operator of a vehicle involved in an
21 accident that results in damage to an unattended vehicle shall provide evidence of liability
22 insurance or financial responsibility as required by section 1601 if the owner or operator
23 of the unattended vehicle so requests.

24 **3. Violation.** A person commits a Class E crime if that person fails to comply with
25 this section, except that a person commits a traffic infraction if that person fails to comply
26 with subsection 2-A.

27 **4. Dismissal.** The clerk of the District Court Violations Bureau or trial court shall
28 dismiss a Violation Summons and Complaint charging a person with a violation of
29 subsection 2-A if that person:

30 A. Shows the issuing law enforcement officer satisfactory evidence of liability
31 insurance or financial responsibility that was in effect at the time of the alleged
32 violation and the issuing officer notifies the violations bureau of that fact; or

33 B. Files a timely answer to a Violation Summons and Complaint alleging a violation
34 of subsection 2-A and that person presents to the court at the time of trial satisfactory
35 evidence of liability insurance or financial responsibility that was in effect at the time
36 of the alleged violation.

37 **Sec. 4. 29-A MRSA §2255**, as enacted by PL 1993, c. 683, Pt. A, §2 and affected
38 by Pt. B, §5, is amended to read:



126th MAINE LEGISLATURE

LD 919

LR 1712(02)

An Act Concerning the Monetary Amount of Damage That Defines a Reportable Motor Vehicle Accident

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-251)

Committee: Transportation

Fiscal Note Required: Yes

Fiscal Note

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

Correctional and Judicial Impact Statements

Increases traffic infractions.

The collection of additional fines may also increase General Fund revenue by minor amounts.