

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 821

S.P. 208

In Senate, March 5, 2021

An Act To Improve the Investigation and Prosecution of Cases That Involve Vulnerable Road Users

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in black ink, appearing to read "D M Grant", is positioned above the printed name of the Secretary of the Senate.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator DAUGHTRY of Cumberland.

Cosponsored by Senators: CARNEY of Cumberland, MAXMIN of Lincoln, Representatives: GERE of Kennebunkport, ROBERTS of South Berwick, SACHS of Freeport.

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

Sec. 1. 29-A MRSA §2251, sub-§12 is enacted to read:

12. Vulnerable users. A law enforcement officer who investigates a reportable accident involving a vulnerable user or an allegation of a criminal violation that endangered a vulnerable user or the property of a vulnerable user shall inform a district attorney of relevant jurisdiction about the investigation and any evidence relevant to the potential prosecution of an alleged criminal violation resulting from the investigation within 60 days of the accident. Failure of a law enforcement officer to inform a district attorney in accordance with this subsection does not affect any authority of a district attorney to take any action.

SUMMARY

This bill requires a law enforcement officer who investigates a reportable accident involving a vulnerable user or an allegation of a criminal violation that endangered a vulnerable user or the property of a vulnerable user to inform a district attorney of relevant jurisdiction about the investigation and any evidence relevant to the potential prosecution of an alleged criminal violation resulting from the investigation within 60 days of the accident. Under the traffic laws, a vulnerable user is a person on a public way who is more vulnerable to injury than a person in a motor vehicle.