

MAINE STATE LEGISLATURE

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Date: 4/18/23

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MAJORITY

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STATE OF MAINE

SENATE

131ST LEGISLATURE

FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to S.P. 15, L.D. 23, "An Act to Limit Public Access to or Dissemination of Electronic Citation Information"

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

'An Act to Limit Public Access to or Dissemination of Electronic Citation and Electronic Warning Information'

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

'Sec. 1. 29-A MRSA §2601, sub-§3-A, as enacted by PL 2013, c. 112, §9, is amended to read:

3-A. Electronic Violation Summons and Complaint. Notwithstanding subsection 3, the Chief Judge of the District Court may approve for use an electronic Violation Summons and Complaint form. The electronic Violation Summons and Complaint form must include, at a minimum, an electronic or digital signature of the officer, a brief description of the alleged offense, the time and place of the alleged offense and the date on or before which the person is to file a written answer with the violations bureau. Personally identifying information that is contained in the electronic citation or the electronic warning database maintained, administered or contributed to by the Department of Public Safety, Bureau of State Police is confidential, except that personally identifying information that is contained in these databases may be shared with another criminal justice agency, delivered to the person under subsection 7 and transmitted to the violations bureau as required by subsection 9. For the purposes of this subsection, "personally identifying information" means an individual's name, residential and post office mailing addresses, date of birth and driver's license number, a vehicle registration plate number and any other information contained in a data field that may be used to identify a person.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

COMMITTEE AMENDMENT

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SUMMARY

The bill provides that personally identifying information that is located within the electronic citation database maintained, administered or contributed to by the Department of Public Safety, Bureau of State Police is confidential. This amendment, which is the majority report of the committee, provides similar protection to information in the bureau's electronic warnings database. It also clarifies that the bill does not prevent a law enforcement officer from sharing this information with another criminal justice agency, serving the Violation Summons and Complaint on the person charged with having committed the traffic infraction or transmitting the electronic Violation Summons and Complaint to the violations bureau of the District Court. Public access to violations bureau court records, including personally identifying information contained in a Violation Summons and Complaint, is governed by the Maine Rules of Civil Procedure, Rule 80F.

The amendment also adds a definition of "personally identifying information."

COMMITTEE AMENDMENT