

MAINE STATE LEGISLATURE

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NINETY - EIGHTH LEGISLATURE

Legislative Document

No. 167

H. P. 129

House of Representatives, January 23, 1957.

Referred to Committee on Judiciary. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Hancock of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-SEVEN

AN ACT Relating to Certain Penalties for Motor Vehicle Violations.

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

Sec. 1. R. S., c. 22, § 148, amended. Section 148 of chapter 22 of the Revised Statutes is hereby amended to read as follows:

'**Sec. 148. Reckless driving.** Whoever operates any vehicle upon any way or in any place to which the public has a right of access:

I. Recklessly; or

II. In a wanton manner causing injury to any person or property; shall be guilty of reckless driving and upon conviction shall be punished by a fine of not less than \$50, which fine shall not be suspended, and an additional fine of not more than \$200, at the discretion of the court, or by imprisonment for a term of not more than 3 months, or by both such fine and imprisonment; and whoever is convicted the 2nd time for a violation of the provisions of this section shall be punished by a fine of not less than \$200 nor more than \$500, or by imprisonment for not more than 11 months, or by both such fine and imprisonment.'

Sec. 2. R. S., c. 22, §§ 148-A - 148-E, additional. Chapter 22 of the Revised Statutes is hereby amended by adding thereto 5 new sections to be numbered 148-A to 148-E, inclusive, to read as follows:

'**Sec. 148-A. Accidents involving death or personal injury.** The driver of any vehicle involved in an accident resulting in injury to or death of any person shall immediately stop such vehicle at the scene of such accident or as close thereto as possible but shall then forthwith return to and in every event shall remain

at the scene of the accident until he has fulfilled the requirements of section 148-C. Every such stop shall be made without obstructing traffic more than is necessary.

Whoever goes away without stopping and making himself known after causing injury or death to any person shall be punished by a fine of not less than \$100, which fine shall not be suspended, and an additional fine of not more than \$500, at the discretion of the court, or by imprisonment for not more than 9 months, or by both; and if any person be convicted the 2nd time for a violation of the provisions of this section, he shall be punished by a fine of not less than \$200 nor more than \$500, or by imprisonment for not more than 11 months, or by both.

Sec. 148-B. Accidents involving damage to vehicle. The driver of any vehicle involved in an accident resulting only in damage to a vehicle which is driven or attended by any person shall immediately stop such vehicle at the scene of such accident or as close thereto as possible but shall forthwith return to and in every event shall remain at the scene of such accident until he has fulfilled the requirements of section 148-C. Any person violating the provisions of this section shall be punished by a fine of not less than \$25, which fine shall not be suspended, and an additional fine of not more than \$100, at the discretion of the court, or by imprisonment for not more than 90 days, or by both.

Sec. 148-C. Duty to give information and render aid. The driver of any vehicle involved in an accident resulting in injury to or death of any person or damage to any vehicle which is driven or attended by any person shall give his name, address and the registration number of the vehicle he is driving, and shall upon request and if available exhibit his operator's license to the person struck or the driver or occupant of or person attending any vehicle collided with, and shall render to any person injured in such accident reasonable assistance, including the carrying, or the making of arrangements for the carrying, of such person to a physician, surgeon or hospital for medical or surgical treatment if it is apparent that such treatment is necessary or if such carrying is requested by the injured person.

Sec. 148-D. Duty upon striking unattended vehicle. The driver of any vehicle which collides with any vehicle which is unattended shall immediately stop and shall then and there either locate and notify the operator or owner of such vehicle of the name and address of the driver and owner of the vehicle striking the unattended vehicle or shall leave in a conspicuous place in the vehicle struck a written notice giving the name and address of the driver and of the owner of the vehicle doing the striking and a statement of the circumstances thereof.

Sec. 148-E. Duty upon striking fixtures upon a highway. The driver of any vehicle involved in an accident resulting only in damage to fixtures or other property legally upon or adjacent to a highway shall take reasonable steps to locate and notify the owner or person in charge of such property of such fact and of his name and address and of the registration number of the vehicle he is driving and shall upon request and if available exhibit his operator's license and shall make report of such accident when and as required by section 7 of chapter 15.

Sec. 3. R. S., c. 22, § 149, repealed and replaced. Section 149 of chapter 22 of the Revised Statutes is hereby repealed and the following enacted in place thereof:

'Sec. 149. Using motor vehicle without authority. Whoever uses a motor vehicle without authority from its owner shall be punished by a fine of not more than \$200 or by imprisonment for not more than 9 months, or by both; and if any person be convicted the 2nd time for a violation of the provisions of this section, he shall be punished by a fine of not less than \$200 nor more than \$500, or by imprisonment for not more than 11 months, or by both.'

Sec. 4. R. S., c. 22, § 161, amended. The 2nd paragraph of section 161 of chapter 22 of the Revised Statutes is hereby amended to read as follows:

'Any person who drives a motor vehicle on any public highway of this State at a time when his privilege to do so is suspended or revoked shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than \$100, which fine shall not be suspended, and an additional fine of not more than \$500, at the discretion of the court, or by imprisonment for not more than 6 months, or by both ~~such fine and imprisonment.~~'

Sec. 5. R. S., c. 22, § 161, amended. Section 161 of chapter 22 of the Revised Statutes is hereby amended by adding at the end thereof a new paragraph to read as follows:

'Any person who drives a motor vehicle on any public highway of this State at a time when his privilege to do so is suspended for failure to comply with the provisions of the Financial Responsibility Law shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than \$500, or by imprisonment for not more than 6 months, or by both.'

Sec. 6. R. S., c. 22, § 164, amended. Section 164 of chapter 22 of the Revised Statutes is hereby amended to read as follows:

'Sec. 164. General penalty for violation where specific penalty is not provided. Whoevre violates or fails to comply with ~~the provisions of any section~~ any provision of this chapter, or any rules or regulations established thereunder, when no other penalty is specifically provided, shall be punished by a fine of not less than \$10, which fine shall not be suspended, and an additional fine of not more than \$100, at the discretion of the court, or by imprisonment for not more than 90 days, or by both ~~such fine and imprisonment.~~'