

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 scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

H. P. 366

House of Representatives, February 6, 1957.

Referred to the 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 Negligently Operating a Motor Vehicle so as to Cause Death.

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

Sec. 1. R. S., c. 22, § 151, amended. The last sentence of section 151 of chapter 22 of the Revised Statutes is hereby amended to read as follows:

'For the purposes of ~~this section and of section~~ sections 150, 151 and 151-B, a person shall be deemed to have been convicted if he pleaded guilty or nolo contendere or was adjudged or found guilty by a court of competent jurisdiction, whether or not he was placed on probation without sentence or under a suspended sentence or the case was placed on file or on special docket.'

Sec. 2. R. S., c. 22, § 151-B, additional. Chapter 22 of the Revised Statutes is hereby amended by adding thereto a new section to be numbered 151-B, to read as follows:

'**Sec. 151-B. Negligently or carelessly causing death of a person; license revoked.** Whoever, while operating a motor vehicle carelessly and negligently, causes the death of any person, when the death of such person ensues within one year, as a proximate result of injury received by the driving of such vehicle, shall upon conviction be punished by a fine of not more than \$1,000 or by imprisonment for not more than 11 months, or by both. Carelessly and negligently under this section shall mean the doing of that which a reasonably, ordinarily prudent person would not do under circumstances obtaining or the failure to do that which a reasonably, ordinarily prudent person would do under existing circumstances. The license of any person convicted of violating the provisions of this section shall be revoked immediately by the Secretary of State upon re-

ceipt of an attested copy of the court records, without further hearing. In case of an appeal the license shall be suspended during the course of the appeal unless the trial court shall otherwise order, or unless the Secretary of State, after a hearing, shall restore the license or permit pending decision on the appeal and the revocation start when and if the conviction is upheld. No person whose license or permit to operate a motor vehicle has been so revoked shall be licensed again or permitted to operate a motor vehicle for a period of 3 years from the time such license is revoked.'