

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Ninety-first and Ninety-second
Legislatures
OF THE
STATE OF MAINE

From April 10, 1943 to April 21, 1945
AND MISCELLANEOUS STATE PAPERS
From April 10, 1943 to May 24, 1945

Published by the Revisor of Statutes in accordance
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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-second Legislature

1945

Sec. 2. R. S., c. 60, § 9, amended. The 1st paragraph of section 9 of chapter 60 of the revised statutes is hereby amended to read as follows:

'Until the first payment on account of a retirement allowance becomes normally due, any member may elect to convert the retirement allowance otherwise payable on his account after retirement into a retirement allowance of equivalent actuarial value of one of the optional forms named below; provided, however, that ~~no~~ an election of an optional benefit shall be effective ~~until 60 days after the date of the filing of the election thereof with the board of trustees, or until 60 days after retirement, whichever is the later~~ on the date of retirement, and should the member die before such election becomes effective, the benefits payable on his account shall be the same as though his election has not been filed and he had not been retired.'

Sec. 3. R. S., c. 60, § 11, sub-§ I, amended. Subsection I of section 11 of chapter 60 of the revised statutes is hereby amended by adding at the end thereof the following:

'In addition there shall be appointed by the governor 2 other members of the board, one of whom shall be a subordinate state employee who shall be a member of the retirement system, and the other shall be a citizen of the state who is not employed by the state. The initial term of one such appointee shall be for a term of 3 years and the other for a term of 4 years, and thereafter both shall serve for a term of 4 years and until their successors have been appointed and qualified. The treasurer of state, chairman of the personnel board and the state controller shall be ex officio members of the board.'

Effective July 21, 1945

Chapter 306

AN ACT Relating to Reporting by Drivers Involved in Accidents.

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

R. S., c. 13, § 6, repealed and replaced. Section 6 of chapter 13 of the revised statutes is hereby repealed and replaced to read as follows:

'Sec. 6. Driver of any vehicle involved in accident to report. The chief of the state police shall prepare and shall, on request, supply to police and

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sheriffs' offices and other suitable agencies, forms of accident reports calling for sufficiently detailed information to disclose, with reference to a highway accident the cause, conditions then existing and the persons and vehicles involved. Every accident report required to be made in writing shall be made on the appropriate form furnished by the chief of the state police and shall contain all available information.

The chief of the state police shall receive accident reports required by law and shall tabulate and analyze such reports and may publish annually, or at more frequent intervals, statistical information based thereon as to the number, cause and location of highway accidents.

The driver of any vehicle involved in an accident resulting in injuries to or death of any person or property damage to the estimated amount of \$50 or more, or some person acting for him, shall, immediately by the quickest means of communication, give notice of the accident either to a state police officer, sheriff, or other police official, or to the police department of the municipality wherein the accident occurred. Every such notice received by any such official or department shall be promptly investigated.

Every law enforcement officer who investigates a motor vehicle accident of which report is required, shall, either at the time and scene of the accident or elsewhere, interview participants and witnesses and shall, within 48 hours after completing the investigation, transmit his written report to the chief of the state police.

All accident reports made by investigating officers shall be for the purpose of a statistical analysis and for accident prevention purposes and shall not be admissible in evidence in any trial, civil or criminal, arising out of such accident, but the chief of the state police may disclose, upon request of any person, the date, time, location of the accident and the names and addresses of drivers, owners, injured persons, witnesses and the investigating officer. The chief may also upon written request, furnish a photocopy of any report at the expense of the person making the request.

The driver of any vehicle involved in an accident resulting in injury to or death of any person or property damage to the estimated amount of \$50 or more, or some person acting for him, shall, within 48 hours after the accident, make a written report of it to the chief of the state police. The chief may require drivers of vehicles involved in any such accident to file supplemental reports whenever the original report is insufficient in the opinion of the chief.

Every report shall be without prejudice and the fact that it was made shall be admissible in evidence solely to prove a compliance with this section, but no report, or any part thereof, or statement contained therein, or statement made, or testimony taken at any hearing before the secretary of state or any of his deputies held under the provisions of section 4 of chapter 19, or decision made as a result thereof, shall be admissible in evidence for any purpose in any trial, civil or criminal, arising out of such accident.

Whoever is required to make a report as herein provided and fails to do so, or wilfully fails to give correct information required of him by the chief of the state police pertinent to any requisite report shall be deemed answerable to the secretary of state, and the secretary for either of said causes may suspend or revoke the operator's license of such person or the certificate of registration, or both, of any or all motor vehicles owned by him; and on like failure by a non-resident the secretary may suspend or revoke the privileges of such non-resident to operate a motor vehicle in this state and the operation within this state of any motor vehicle owned by him.'

Effective July 21, 1945

Chapter 307

AN ACT Relating to Small Claims.

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

R. S., c. 96-A, additional. The revised statutes are hereby amended by adding thereto a new chapter to be numbered 96-A, to read as follows:

Chapter 96-A.

Small Claims.

Sec. 1. "Small claim" defined. A "small claim" is any right of action cognizable by a court of law not involving the title to real estate in which the debt or damage claimed does not exceed \$35.

Sec. 2. Procedure established. There is hereby established a simple, speedy, and informal procedure which a plaintiff or his authorized attorney may pursue in an action commenced before a justice of a municipal court