

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND ELEVENTH LEGISLATURE

SECOND SPECIAL SESSION

November 18, 1983

AND AT THE

SECOND REGULAR SESSION

January 4, 1984 to April 25, 1984

AND AT THE

THIRD SPECIAL SESSION

September 4, 1984 to September 11, 1984

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH
IN ACCORDANCE WITH MAINE REVISED STATUTES
ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

J.S. McCarthy Co., Inc.
Augusta, Maine
1986

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND REGULAR SESSION
of the
ONE HUNDRED AND ELEVENTH LEGISLATURE
JANUARY 4, 1984 TO APRIL 25, 1984

CHAPTER 773

H.P. 1748 - L.D. 2302

AN ACT Concerning Use of Computer
Transcripts.

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

Sec. 1. 29 MRSA §58-A is enacted to read:

§58-A. Computer transcripts

1. Transcript. Notwithstanding any other provision of law, a transcript of entries of conviction, adjudication, suspension or revocation, or any of them, in official motor vehicle records stored within either a computer or other data processing device, if properly certified, shall be admissible in evidence in every circumstance in which a properly certified copy of an official motor vehicle record would be admissible, to show the truth of the facts stated therein. The transcript shall be afforded prima facie weight as evidence in any judicial or administrative proceeding.

2. Conviction, adjudication, suspension or revocation. With respect to a transcript of entries of conviction, adjudication, suspension or revocation in official motor vehicle records stored within a computer or other data processing device:

A. A clerk or deputy clerk of any District Court may certify a transcript of motor vehicle data from all District Courts;

B. A clerk or deputy clerk of any Superior Court may certify a transcript of motor vehicle data from all Superior Courts; and

C. The Secretary of State may certify a transcript of motor vehicle data from all courts in the State, or any of them.

Sec. 2. 29 MRSA §2304, as amended by PL 1977, c. 696, §219, is further amended to read:

§2304. Conviction record to Secretary of State; public record

Every court in every case wherein a person is convicted of or adjudicated to have committed the violation of any statute or appeals from any conviction or adjudication relative to motor vehicles or to the operation of any vehicle shall forthwith transmit to the Secretary of State an abstract, duly certified, setting forth therein the name of the court, the docket number of the case, the names of the parties, the nature of the offense, the date of the offense, the date of hearing, the plea, the judgment and the result; and in cases involving any violation of sections 1251 to 1254 and 1256, the abstract shall contain the legal speed involved and the speed of which the person was convicted; and they shall be open to public inspection during reasonable hours. Said The judges may make such recommendations to the Secretary of State as to suspension or revocation of licenses and certificates of registration of respondents as they deem to be in furtherance of justice.

Where a court is equipped with a computer terminal or other electronic data processing equipment having the capacity to transmit to and retrieve from the official motor vehicle records of the Secretary of State all information designated to be included in the abstract required by this section, the court may use the computer terminal or electronic data processing equipment in lieu of a written document to communicate and certify the information to the Secretary of State.

Effective July 25, 1984.

CHAPTER 774

H.P. 1808 - L.D. 2390

AN ACT to Require Downstream Public
Notification of Release of Water Impoundments.

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

12 MRSA §7034, sub-§10 is enacted to read:

10. Water level danger zones. The commissioner may establish, in accordance with section 7035, subsection 1, water level danger zones. These zones shall consist of those areas of rivers and streams below water impoundment which are subject to rapidly