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An Act Imposing Increased Responsibility for Registered Owners of Motor Vehicles

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

Sec. 1. 29-A MRSA §2414, sub-§8 is enacted to read:

8. Registered owner's liability. A person who is the registered owner of a vehicle at the time that vehicle is involved in a violation of this section commits a traffic infraction.

A. It is a defense to a prosecution for a violation under this subsection that:

(1) A person other than the owner was convicted of operating the vehicle at the time of the violation in violation of subsections 2 to 7. In that case, the registered owner may not be found in violation of this subsection;

(2) The registered owner is a lessor of vehicles and at the time of the violation the vehicle was in the possession of a lessee if the lessor provides the investigating officer with a copy of the lease agreement containing the information required by section 254. In that case the lessee and not the lessor may be charged under this subsection;

(3) That the vehicle is operated using a dealer or transporter registration plate and at the time of the violation the vehicle was operated by a person other than the dealer or transporter if the dealer or transporter provides the investigating officer with the name and address of the person who had control over the vehicle at the time of the violation. In that case that person and not the dealer or transporter may be charged under this subsection; or

(4) A report that the vehicle was stolen was given to a law enforcement officer or agency before the violation occurred or within a reasonable time after the violation occurred. In that case, the registered owner may not be charged under this subsection.

SUMMARY

This bill establishes a presumption that a person who is a registered owner of a vehicle at the time the vehicle is involved in a violation of the laws requiring a person to stop a vehicle at the request of a law enforcement officer commits a traffic infraction.