

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Amend the Laws Governing Eluding an Officer

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 for vehicle involved in eluding an officer. A person who is a registered owner of a vehicle at the time that vehicle is involved in a violation of subsection 3 commits a traffic infraction. For purposes of this subsection, "registered owner" includes a person issued a dealer or transporter registration plate.

A. A law enforcement officer may cause the registered owner of the vehicle to be served with a summons for a violation of this subsection.

B. Except as provided in paragraph C, it is not a defense to a violation of this subsection that a registered owner was not operating the vehicle at the time of the violation.

C. The following are defenses to a violation of this subsection.

(1) If a person other than the owner is convicted of operating the vehicle at the time of the violation in violation of subsection 3, then the registered owner may not be found in violation of this subsection.

(2) If the registered owner is a lessor of vehicles and at the time of the violation the vehicle was in the possession of a lessee, and the lessor provides a law enforcement officer with a copy of the lease agreement containing the information required by section 254, then the lessee and not the lessor may be charged under this subsection.

(3) If the vehicle is operated using a dealer or transporter registration plate and at the time of the violation the vehicle was operated by any person other than the dealer or transporter, and if the dealer or transporter provides a law enforcement officer with the name and address of the person who had control over the vehicle at the time of the violation, then that person and not the dealer or transporter may be charged under this subsection.

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

D. Notwithstanding subsection 3, a person who violates this subsection commits a traffic infraction for which a fine of \$500 must be adjudged.

SUMMARY

This bill provides, with several specified exceptions, that a person who is a registered owner of a vehicle at the time that vehicle is involved in eluding a law enforcement officer commits a traffic infraction for which a fine of \$500 must be adjudged.