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CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
132ND LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1257, L.D. 1886, “An Act Regarding Penalties for Violation of the Law Governing Distracted Driving When the Violation Results in the Death or Significant Injury of Another Person”

Amend the bill by striking out the title and substituting the following:

'An Act to Include Serious Bodily Injury in the Law Governing Motor Vehicle Violations Resulting in Death'

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 29-A MRSA §2413-A, as enacted by PL 2009, c. 182, §1, is amended to read:

§2413-A. Motor vehicle violation resulting in death or serious bodily injury

1. Offense. A person commits the civil violation of motor vehicle violation resulting in death or serious bodily injury if that person, while operating a motor vehicle and committing a traffic infraction, causes the death or serious bodily injury of another person.

2. Pleading and proof. The State must prove that the defendant's committing a traffic infraction while operating a motor vehicle caused the death or serious bodily injury under subsection 1. The court shall apply Title 17-A, section 33 in assessing any causation under this section.

3. Penalties. A person who violates this section commits a civil violation for which a fine of not more than \$5,000 may be adjudged. Any portion of the fine adjudged may be satisfied by a court-ordered requirement of community service work. The court shall also impose a license suspension of no less than 14 days and up to 4 years.

4. Definition. As used in this section, "serious bodily injury" has the same meaning as in Title 17-A, section 2, subsection 23.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

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SUMMARY

This amendment, which is the majority report of the committee, replaces the bill and changes the title. The amendment amends the provision of law related to penalties applicable when a person commits a motor vehicle violation that results in the death of another person to provide that those penalties also apply to a person who commits a motor vehicle violation that results in serious bodily injury to another person.

FISCAL NOTE REQUIRED

(See attached)