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Director

**Testimony of Director Lauren V. Stewart**

**TESTIMONY NEITHER FOR NOR AGAINST LD 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**

Senator Beebe-Center, Representative Hasenfus, and distinguished Members of the Joint Standing Committee on Criminal Justice and Public Safety, I am Lauren Stewart, Director of the Department of Public Safety's, Bureau of Highway Safety. I am here today to testify on behalf of the Department Neither for Nor Against LD 1886, and to provide you with some information and thoughts as you consider this bill.

This bill seeks to add penalties to 29-A section 2118 if failure to control a motor vehicle by distraction causes death or "significant" injury to another. Both result in court ordered suspensions of differing time.

We generally do not become involved in fines and penalties unless they are so high as to prohibit law enforcement from effectively enforcing the laws.

We believe the words "significant injury" may be slightly problematic due to being subjective, especially given that "serious bodily injury" is used in other statutes and is defined (*see, e.g.,* 29-A M.R.S. § 2462 and 17-A M.R.S. § 2(23)).

We also believe that this change may be unnecessary given that anyone who drives distracted and causes serious injury or death to another can likely be charged with manslaughter, aggravated driving to endanger, driving to endanger, or committing a motor vehicle violation resulting in death under 29-A §2413-A which provides for penalties including a fine of not more than \$5,000.00 and a license suspension of not less than 14 days and up to 4 years.

Thank you for your time today and I would be happy to try to answer any questions you may have.

Buckle Up. Drive Safely.



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