

**§2413. Driving to endanger**

**1. Definition.** A person commits a Class E crime if, with criminal negligence as defined in Title 17-A, that person drives a motor vehicle in any place in a manner that endangers the property of another or a person, including the operator or passenger in the motor vehicle being driven.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

**1-A. Aggravated punishment category.** Notwithstanding subsection 1, a person commits a Class C crime if, with criminal negligence as defined in Title 17-A, section 35, that person drives a motor vehicle in any place in a manner that endangers the property of another or a person, including the operator or passenger in the motor vehicle being driven, and causes serious bodily injury, as defined in Title 17-A, section 2, subsection 23, to another person.

[PL 2005, c. 441, §1 (NEW).]

**2. Allegation of facts.** In pleading under this section, it is not necessary to allege specifically the facts that constitute criminal negligence.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

**3. Penalties.** In addition to any other penalty, the court shall suspend the driver's license of a person convicted under subsection 1 for not less than 30 days nor more than 180 days, which minimum may not be suspended. In addition to any other penalty, the court shall suspend the driver's license of a person convicted under subsection 1-A for not less than 180 days nor more than 2 years, which minimum may not be suspended. If the court fails to suspend the license, the Secretary of State shall impose the minimum period of suspension. The court shall impose a sentencing alternative that involves a fine of not less than \$575, which may not be suspended. If a person's license is suspended under section 2453 or 2453-A arising out of the same occurrence, the period of time the license has been suspended under section 2453 or 2453-A prior to conviction must be deducted from the period of suspension under this subsection.

[PL 2017, c. 107, §1 (AMD).]

**4. Exception.** This section does not apply to the operation of a vehicle:

A. In racing events and exhibitions at which the public does not have access to the operating area; or [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. On private land to which the public does not have access when used by or with authorization of the landowner. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

**5. Notice.** The court shall give notice of the suspension and take physical custody of a driver's license as provided in section 2434.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

**SECTION HISTORY**

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 2005, c. 12, §JJ2 (AMD). PL 2005, c. 441, §§1,2 (AMD). PL 2005, c. 683, §B23 (AMD). PL 2017, c. 107, §1 (AMD).

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