

**§12403. Damage to motor vehicles by wild animals or wild birds**

**1. Claims.** The State is not liable for any claims for damages to a motor vehicle by a wild animal or wild bird.

[PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. B, §240 (AMD); PL 2003, c. 655, Pt. B, §422 (AFF).]

**2. Accidental collisions involving deer, moose, bear or wild turkey.** This subsection applies to accidental collisions involving deer, moose, bear or wild turkey.

A. The operator or owner having knowledge of a motor vehicle that has been involved in an accidental collision with a deer, moose, bear or wild turkey shall, by the quickest means, report the accident to a law enforcement officer. [PL 2003, c. 414, Pt. A, §2 (NEW); PL 2003, c. 614, §9 (AFF).]

B. The officer shall investigate an accident reported under paragraph A and, if the officer finds that the motor vehicle has sustained apparent damage as the result of the collision, shall give a certificate that entitles the person to the ownership of the carcass. The person may then take possession and immediately remove the entire carcass from the scene of the collision. [PL 2003, c. 414, Pt. A, §2 (NEW); PL 2003, c. 614, §9 (AFF).]

C. A person entitled to ownership of a deer, moose or bear carcass under paragraph B may not take possession of or remove any portion of the carcass without taking possession of or removing the entire carcass from the scene of the collision. [PL 2003, c. 414, Pt. A, §2 (NEW); PL 2003, c. 614, §9 (AFF).]

[PL 2003, c. 414, Pt. A, §2 (NEW); PL 2003, c. 614, §9 (AFF).]

**3. Penalties.** The following penalties apply to violations of this section.

A. A person who fails to report an accident in accordance with subsection 2, paragraph A or who removes a portion of a carcass in violation of subsection 2, paragraph C commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged. [PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. B, §241 (AMD); PL 2003, c. 655, Pt. B, §422 (AFF).]

A-1. A person who fails to report an accident in accordance with subsection 2, paragraph A or removes a portion of a carcass in violation of subsection 2, paragraph C after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime. [PL 2003, c. 655, Pt. B, §241 (NEW); PL 2003, c. 655, Pt. B, §422 (AFF).]

B. [PL 2003, c. 552, §13 (RP); PL 2003, c. 552, §15 (AFF); PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. C, §§2, 6 (AFF).]

[PL 2003, c. 614, §9 (AFF); PL 2003, c. 655, Pt. B, §241 (AMD); PL 2003, c. 655, Pt. B, §422 (AFF).]

**SECTION HISTORY**

PL 2003, c. 414, §A2 (NEW). PL 2003, c. 414, §D7 (AFF). PL 2003, c. 552, §13 (AMD). PL 2003, c. 552, §15 (AFF). PL 2003, c. 614, §9 (AFF). PL 2003, c. 655, §§B240,241 (AMD). PL 2003, c. 655, §§B422,C2,6 (AFF).

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