

RIGHT TO KNOW ADVISORY COMMITTEE

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Addendum: Comparison of definitions from privacy bills from the 132nd Legislature

RIGHT TO KNOW ADVISORY COMMITTEE

Tuesday, October 27, 2026

1:00pm

Location: State House, Room 228 (Hybrid Meeting)

Public access also available through the Maine Legislature's livestream:

<https://legislature.maine.gov/Audio/#228>

1. Introductions
2. Reports from subcommittee chairs
3. Review of draft legislation: FOAA training for chiefs of police
4. Review of materials related to personal information/personal privacy public records exemptions
5. Review/discussion of letters addressed to RTKAC from Chris Parr
6. Adjourn

§412. Public records and proceedings training for certain officials, board members and public access officers

1. Training required. A public access officer, a board member and an official subject to this section shall complete a course of training on the requirements of this chapter relating to public records and proceedings. The official, board member or public access officer shall complete the training not later than the 120th day after the date the official or board member assumes the person's duties as an official or board member or the person is designated as a public access officer pursuant to section 413, subsection 1.

2. Training course; minimum requirements. The training course under subsection 1 must be designed to be completed by an official, a board member or a public access officer in less than 2 hours. At a minimum, the training must include instruction in:

- A. The general legal requirements of this chapter regarding public records and public proceedings;
- B. Procedures and requirements regarding complying with a request for a public record under this chapter; and
- C. Penalties and other consequences for failure to comply with this chapter.

An official, a board member or a public access officer meets the training requirements of this section by conducting a thorough review of all the information made available by the State on a publicly accessible website pursuant to section 411, subsection 6, paragraph C regarding specific guidance on how a member of the public can use the law to be a better informed and active participant in open government. To meet the requirements of this subsection, any other training course must include all of this information and may include additional information.

3. Certification of completion. Upon completion of the training course required under subsection 1, the official, board member or public access officer shall make a written or an electronic record attesting to the fact that the training has been completed. The record must identify the training completed and the date of completion. The official or board member shall keep the record or file it with the public entity to which the official or board member was elected or appointed. A public access officer shall file the record with the agency or official that designated the public access officer.

4. Application. This section applies to a public access officer and the following officials:

- A. The Governor;
- B. The Attorney General, Secretary of State, Treasurer of State and State Auditor;
- C. Members of the Legislature elected after November 1, 2008;
- D.
- E. Commissioners, treasurers, district attorneys, sheriffs, registers of deeds, registers of probate and budget committee members of county governments;
- F. Municipal officers; municipal clerks, treasurers, managers or administrators, assessors and code enforcement officers and deputies for those positions; and planning board members and budget committee members of municipal governments;
- G. Superintendents, assistant superintendents and school board members of school administrative units;
- H. Officials of a regional or other political subdivision who, as part of the duties of their offices, exercise executive or legislative powers. For the purposes of this paragraph, "regional or other political subdivision" means an administrative entity or instrumentality created pursuant to Title 30-A, chapter 115 or 119 or a quasi-municipal corporation or special purpose district, including, but not limited to, a water district, sanitary district, hospital district, school district of any type,

transit district as defined in Title 30-A, section 3501, subsection 1 or regional transportation corporation as defined in Title 30-A, section 3501, subsection 2; and

I. Members of a board or commission established under Title 5, chapter 379, referred to in this section as "board members."; and

J. The chief of police of a municipality. If the municipality does not have a chief of police, this section applies to the sheriff of the county where the municipality is located.

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DRAFT

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G. Superintendents, assistant superintendents and school board members of school administrative units;

H. Officials of a regional or other political subdivision who, as part of the duties of their offices, exercise executive or legislative powers. For the purposes of this paragraph, "regional or other political subdivision" means an administrative entity or instrumentality created pursuant to [Title 30-A, chapter 115](#) or [119](#) or a quasi-municipal corporation or special purpose district, including, but not limited to, a water district, sanitary district, hospital district, school district of any type, transit district as defined in [Title 30-A, section 3501, subsection 1](#) or regional transportation corporation as defined in [Title 30-A, section 3501, subsection 2](#); and

I. Members of a board or commission established under [Title 5, chapter 379](#), referred to in this section as "board members."

Certain Officials, Board Members and Public Access Officers*

Elected

- A. The Governor;
- B. The Attorney General, Secretary of State, Treasurer of State and State Auditor;¹
- C. Members of the Legislature elected after November 1, 2008;
- E. Commissioners, treasurers, district attorneys, sheriffs, registers of deeds, registers of probate and budget committee members of county governments;²

Appointed

- I. Members of a board or commission established under Title 5, chapter 379, referred to in this section as "board members."³

Elected or Appointed

- F. Municipal officers; municipal clerks, treasurers, managers or administrators, assessors and code enforcement officers and deputies for those positions; and planning board members and budget committee members of municipal governments;⁴

Elected, Appointed or Otherwise Selected

- G. Superintendents,⁵ assistant superintendents⁶ and school board members⁷ of school administrative units;
- H. Officials of a regional or other political subdivision who, as part of the duties of their offices, exercise executive or legislative powers. For the purposes of this paragraph, "regional or other political subdivision" means an administrative entity or instrumentality created pursuant to [Title 30-A, chapter 115](#) or [119](#) or a quasi-municipal corporation or special purpose district, including, but not limited to, a water district, sanitary district, hospital district, school district of any type, transit district as defined in [Title 30-A, section 3501, subsection 1](#) or regional transportation corporation as defined in [Title 30-A, section 3501, subsection 2](#); and

**General categories above intended to capture most common selection method for enumerated positions; may not capture all possible variations in selection methods for specified positions.*

¹ *Elected by the Legislature*

² *Most officials in paragraph E are elected; selection of county budget committee members varies by county*

³ *5 M.R.S. §12004-I Advisory boards; boards with minimal authority*

⁴ *Selection of officials in paragraph F varies by position and governance structure of municipality*

⁵ *Selected by the school board*

⁶ *Selection process not outlined in statute*

⁷ *Elected*

Bishop, Kristin

From: Senft, Samuel
Sent: Thursday, October 16, 2025 11:23 AM
To: Bishop, Kristin
Subject: FW: email from member of the public

From: Senft, Samuel
Sent: Tuesday, October 14, 2025 3:50 PM
To: 'rkac-members@lists.legislature.maine.gov' <rkac-members@lists.legislature.maine.gov>
Subject: email from member of the public

Good afternoon

Below, please see an email from a member of the public regarding FOAA training requirements.

Best,

Sam

From: kraye@maine.rr.com <kraye@maine.rr.com>
Sent: Tuesday, October 14, 2025 3:33 PM
To: Senft, Samuel <Samuel.Senft@legislature.maine.gov>
Cc: Kelly Raye <kraye@maine.rr.com>
Subject: Maine's Right to Know Committee

This message originates from outside the Maine Legislature.

Good afternoon Mr. Senft.

I called your office and was given your name to send an email to in order for it to be forwarded to the Right To Know Committe. If I need to send along to someone else, please let me know.

Thank you in advance.

Kelly Raye

Right To Know Advisory Committee:

Good morning.

Thank you for the opportunity to express my concerns about a situation that I have encountered in my hometown of Old Orchard Beach, and I ask for your help. in short, I am perplexed as to why the list of

individuals who are required to be trained on Maine's Freedom of Access Act does not include an incredibly important position within each community-Police Chief.

The
Maine Freedom of Access Act grants the public a broad right to access public records and proceedings of state and local government bodies. This act is fundamental to maintaining transparency and accountability in government operations, allowing citizens to stay informed about government activities and decisions.

Background:

On July 8th 2025, I observed an interaction between a police officer and a member of the public. I was taken aback by the responding officer's approach to the situation and how he treated this elderly person who had been involved in an accident.

On this same date, I emailed the Assistant Chief of Police an outline of my concerns, and as part of that correspondence asked what the *process is* to file a request under Maine's Freedom of Access Act (Before filing a complaint, I wanted to be certain that I was not overreacting to the encounter). As a previously elected official in my town, I was aware of the statute but had never participated in a request.

On July 11th, I received a response to my email from the Chief of Police. In response to point #4 of my inquiry about who to contact within the town to access the police body camera footage through the FOAA request she stated:

"You are not allowed body camera footage as this accident does not involve you so therefore it is investigative footage for those involved in the accident."

I replied and again requested the process for submitting a FOAA request to the town with no response-at all-to my inquiry.

I took the initiative and researched the process within Old Orchard Beach. I submitted a request for the body worn camera footage through the proper channels and received the following response:

"Per Chief Chard, "we can not release the video to Ms. Raye because she is not involved other than the 911 call. She is not a witness to this and that there is an expectation of privacy for those involved including their personal information, license and insurance information. In the video there is also information from the juveniles involved that can not be released. We do not have the ability to alter the video to take this information out nor would we. The 911 call is also not releasable. There are no phone calls, or emails about this investigation only an accident report."

I then had to suggest that the town contact the town's attorney for guidance, or I could file in Superior Court for the footage. Only then did the town act on my request. I should not have to threaten legal action to insist that the town follow the law.

Upon receiving the information, I requested a meeting with the Town Manager. My goal was to ensure that the town understood not only the law but the spirit in which the law was intended. In that meeting, I requested that the Police Chief be required to take a training (or retraining) on Maine's FOAA so the next person (who may not have the knowledge or wherewithal all to advocate for the proper disposition of a

FOAA request) would not have to push back or threaten legal action. I believe that this was a reasonable request given the importance of the statute and the fact that it is clear that town employee(s) do not understand and perhaps not even value the law.

This request was met with the response that "law enforcement" is not on the list of individuals who are required to take this training.

So, this brings me to the Right To Know Advisory Committee to try and understand why such a pivotal position is not required to know the details of this incredibly important law. And, although I understand the argument of "unfunded mandates" this might be the single most important tool for community members to hold their government officials accountable.

I plan to contact my local legislators to request assistance in determining how to include law enforcement leadership in required training on Maine's Freedom of Access Act and I am happy to share my experience with committee members or the designated staff members who support the committee.

Thank you in advance for your time and effort.

Kelly Raye
PO Box 7426
Ocean Park, Maine 03063

207-590-2789

Bishop, Kristin

From: Michael Tracy <mcopa@mainechiefs.org>
Sent: Tuesday, September 29, 2026 5:33 PM
To: Bishop, Kristin
Subject: RE: Right to Know Advisory Committee Request for Comment

This message originates from outside the Maine Legislature.

Good afternoon,

Senator Carney and Members of the Committee,

Thank you for the opportunity to comment on the proposal to require all municipal police chiefs to complete Freedom of Access Act training. I support ensuring that law enforcement agencies respond to public records requests properly and promptly. However, I do not believe an additional statutory training requirement directed specifically at police chiefs is necessary.

In many departments, FOAA requests are processed by designated staff rather than the chief personally. Those employees handle the records searches, review, coordination, and responses associated with requests. Training should focus on the personnel assigned those responsibilities.

Existing law already addresses this issue. Under 25 M.R.S. §2803-B(1)(M), the chief administrative officer must annually certify that the agency has adopted a written FOAA policy and designated a person trained to respond to requests. This establishes both an operational requirement and accountability for the chief to ensure that a trained person is in place.

The chief remains responsible for the department's compliance, but that responsibility does not require the chief to personally perform every administrative function. Requiring the chief to complete additional training solely because of their title would duplicate training within departments where another employee already performs this work, without establishing how that duplication would improve public access.

Where the chief also serves as the designated public access officer, the existing training requirements apply. Where those duties are assigned to another employee, the department should retain the flexibility to train and use that employee.

I recommend retaining the existing framework and focusing on compliance with the requirements already in place. Providing practical guidance and training opportunities for those who actually process FOAA requests would be a more useful approach than imposing a blanket requirement on every police chief.

Thank you,

Mike

From: Bishop, Kristin <Kristin.Bishop@legislature.maine.gov>
Sent: Tuesday, September 29, 2026 8:55 AM
To: Michael Tracy <mcpa@mainechiefs.org>
Subject: Right to Know Advisory Committee Request for Comment

Good morning Chief Tracy,

I am writing on behalf of the Right to Know Advisory Committee (RTKAC), an on-going advisory council created by [Public Law 2005, chapter 631](#) with oversight authority and responsibility for a broad range of activities associated with the purposes and principles underlying Maine's Freedom of Access Act (FOAA) laws. Each year, the Committee considers recommendations for changes in statutes to improve the laws with regard to best practices in providing the public access to records and proceedings and to maintain the integrity of the Freedom of Access laws.

Last year, a concern was raised for the 2025 Committee's consideration regarding discrepancies in interpretation of whether or not Chiefs of Police are subject to the statutory training requirements in [1 MRSA §412](#) since they are not explicitly enumerated in the list of officers subject to FOAA training in 1 MRSA §412, sub-§4. The Committee sent the **attached letter** to the Maine Chiefs of Police Association requesting any comments for the committee to consider on this matter and did not receive a response at that time. The 2026 Right to Know Advisory Committee has requested that this letter be resent to ask if the Maine Chiefs of Police Association may have any comments to share on this matter.

Thank you so much for your time and consideration.

Sincerely,
Kristin

Kristin K. Bishop
Legislative Analyst
Maine State Legislature
Office of Policy and Legal Analysis
207-287-1670

§1347. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 2005, c. 379, §1 (NEW); PL 2005, c. 379, §4 (AFF).]

1. Breach of the security of the system. "Breach of the security of the system" or "security breach" means unauthorized acquisition, release or use of an individual's computerized data that includes personal information that compromises the security, confidentiality or integrity of personal information of the individual maintained by a person. Good faith acquisition, release or use of personal information by an employee or agent of a person on behalf of the person is not a breach of the security of the system if the personal information is not used for or subject to further unauthorized disclosure to another person.

[PL 2009, c. 161, §1 (AMD); PL 2009, c. 161, §5 (AFF).]

2. Encryption. "Encryption" means the disguising of data using generally accepted practices. [PL 2005, c. 379, §1 (NEW); PL 2005, c. 379, §4 (AFF).]

3. Information broker. "Information broker" means a person who, for monetary fees or dues, engages in whole or in part in the business of collecting, assembling, evaluating, compiling, reporting, transmitting, transferring or communicating information concerning individuals for the primary purpose of furnishing personal information to nonaffiliated 3rd parties. "Information broker" does not include a governmental agency whose records are maintained primarily for traffic safety, law enforcement or licensing purposes.

[PL 2005, c. 379, §1 (NEW); PL 2005, c. 379, §4 (AFF).]

4. Notice. "Notice" means:

A. Written notice; [PL 2005, c. 379, §1 (NEW); PL 2005, c. 379, §4 (AFF).]

B. Electronic notice, if the notice provided is consistent with the provisions regarding electronic records and signatures set forth in 15 United States Code, Section 7001; or [PL 2005, c. 379, §1 (NEW); PL 2005, c. 379, §4 (AFF).]

C. Substitute notice, if the person maintaining personal information demonstrates that the cost of providing notice would exceed \$5,000, that the affected class of individuals to be notified exceeds 1,000 or that the person maintaining personal information does not have sufficient contact information to provide written or electronic notice to those individuals. Substitute notice must consist of all of the following:

(1) E-mail notice, if the person has e-mail addresses for the individuals to be notified;

(2) Conspicuous posting of the notice on the person's publicly accessible website, if the person maintains one; and

(3) Notification to major statewide media. [PL 2005, c. 583, §2 (AMD); PL 2005, c. 583, §14 (AFF).]

[PL 2005, c. 379, §1 (NEW); PL 2005, c. 379, §4 (AFF); PL 2005, c. 583, §2 (AMD); PL 2005, c. 583, §14 (AFF).]

5. Person. "Person" means an individual, partnership, corporation, limited liability company, trust, estate, cooperative, association or other entity, including agencies of State Government, municipalities, school administrative units, the University of Maine System, the Maine Community College System, Maine Maritime Academy and private colleges and universities. "Person" as used in this chapter may not be construed to require duplicative notice by more than one individual, corporation, trust, estate, cooperative, association or other entity involved in the same transaction.

[PL 2019, c. 512, §1 (AMD).]

6. Personal information. "Personal information" means an individual's first name, or first initial, and last name in combination with any one or more of the following data elements, when either the name or the data elements are not encrypted or redacted:

- A. Social security number; [PL 2005, c. 379, §1 (NEW); PL 2005, c. 379, §4 (AFF).]
- B. Driver's license number or state identification card number; [PL 2005, c. 379, §1 (NEW); PL 2005, c. 379, §4 (AFF).]
- C. Account number, credit card number or debit card number, if circumstances exist wherein such a number could be used without additional identifying information, access codes or passwords; [PL 2005, c. 379, §1 (NEW); PL 2005, c. 379, §4 (AFF).]
- D. Account passwords or personal identification numbers or other access codes; or [PL 2005, c. 379, §1 (NEW); PL 2005, c. 379, §4 (AFF).]
- E. Any of the data elements contained in paragraphs A to D when not in connection with the individual's first name, or first initial, and last name, if the information if compromised would be sufficient to permit a person to fraudulently assume or attempt to assume the identity of the person whose information was compromised. [PL 2005, c. 379, §1 (NEW); PL 2005, c. 379, §4 (AFF).]

"Personal information" does not include information from 3rd-party claims databases maintained by property and casualty insurers or publicly available information that is lawfully made available to the general public from federal, state or local government records or widely distributed media. [PL 2005, c. 583, §4 (AMD); PL 2005, c. 583, §14 (AFF).]

7. System. "System" means a computerized data storage system containing personal information. [PL 2005, c. 379, §1 (NEW); PL 2005, c. 379, §4 (AFF).]

8. Unauthorized person. "Unauthorized person" means a person who does not have authority or permission of a person maintaining personal information to access personal information maintained by the person or who obtains access to such information by fraud, misrepresentation, subterfuge or similar deceptive practices. [PL 2005, c. 583, §5 (AMD); PL 2005, c. 583, §14 (AFF).]

SECTION HISTORY

PL 2005, c. 379, §1 (NEW). PL 2005, c. 379, §4 (AFF). PL 2005, c. 583, §§1-5 (AMD). PL 2005, c. 583, §14 (AFF). PL 2009, c. 161, §1 (AMD). PL 2009, c. 161, §5 (AFF). PL 2019, c. 512, §1 (AMD).

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Federal FOIA & Other States' Personal Privacy Protections in Public Records Laws

Right to Know Advisory Committee
October 27, 2026

Federal Freedom of Information Act (5 U.S.C. §552)

The federal FOIA statute exempts “personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy” from disclosure. The statute does not provide specific examples of information that might constitute an invasion of personal privacy, nor does it define “similar files.” However, per the United States Department of Justice:

“[C]ourts have most vigorously protected the personal, intimate details of an individual's life -- consistently protecting personal information that, if disclosed, is likely to cause the individual involved personal distress or embarrassment. Courts regularly uphold the nondisclosure of information concerning marital status, legitimacy of children, welfare payments, family fights and reputation, medical condition, date of birth, religious affiliation, citizenship data, genealogical history establishing membership in a Native American Tribe, social security numbers, criminal history records (commonly referred to as ‘rap sheets’), incarceration of United States citizens in foreign prisons, sexual inclinations or associations, and financial status. Even ‘favorable information,’ such as details of an employee's outstanding performance evaluation, can be protected on the basis that it ‘may well embarrass an individual or incite jealousy’ among co-workers. Moreover, re-lease of such information ‘reveals by omission the identities of employees who did not receive high ratings, creating an invasion of their privacy.’”¹

New Jersey (Open Public Records Act, N.J.S. 47:1A-1 et seq.)

“A government record shall not include the following information which is deemed to be confidential...that portion of any document which discloses the social security number, credit card number, unlisted telephone number or driver license number of any person; except for:

- use by any government agency, including any court or law enforcement agency, in carrying out its functions,
- or any private person or entity acting on behalf thereof,
- or any private person or entity seeking to enforce payment of court-ordered child support; except with respect to the disclosure of driver information by the Division of Motor Vehicles as permitted by section 2 of P.L.1997, c.188 (C.39:2-3.4); and

except that a social security number contained in a record required by law to be made, maintained or kept on file by a public agency shall be disclosed when access to the document or disclosure of that information is not otherwise prohibited by State or federal law, regulation or order or by State statute, resolution of either or both houses of the Legislature, Executive Order of the Governor, rule of court or regulation promulgated under the authority of any statute or executive order of the Governor.”

¹ Freedom of Information Act Guide, Exemption 6. May 2004. United States Department of Justice.

New York (Freedom of Information Law, Article 6, §§84-90)

“Each agency shall, in accordance with its published rules, make available for public inspection and copying all records, except that such agency may deny access to records or portions thereof that... if disclosed would constitute an unwarranted invasion of personal privacy under the provisions of subdivision two of section eighty-nine of this article;

(b) An unwarranted invasion of personal privacy includes, but shall not be limited to:

- i. disclosure of employment, medical or credit histories or personal references of applicants for employment;
- ii. disclosure of items involving the medical or personal records of a client or patient in a medical facility;
- iii. sale or release of lists of names and addresses if such lists would be used for solicitation or fund-raising purposes;
- iv. disclosure of information of a personal nature when disclosure would result in economic or personal hardship to the subject party and such information is not relevant to the work of the agency requesting or maintaining it;
- v. disclosure of information of a personal nature reported in confidence to an agency and not relevant to the ordinary work of such agency; or
- vi. information of a personal nature contained in a workers' compensation record, except as provided by section one hundred ten-a of the workers' compensation law; or
- vii. disclosure of electronic contact information, such as an e-mail address or a social network username, that has been collected from a taxpayer under section one hundred four of the real property tax law; or
- viii. disclosure of law enforcement arrest or booking photographs of an individual, unless public release of such photographs will serve a specific law enforcement purpose and disclosure is not precluded by any state or federal laws.”

Georgia (Open Records Act, Georgia Code § 50-18-70)

“(a) Public disclosure shall not be required for records that are:

[...]

(2) Medical or veterinary records and similar files, the disclosure of which would be an invasion of personal privacy;

[...]

(20) (A) Records that reveal an individual's social security number, mother's birth name, credit card information, debit card information, bank account information, account number, utility account number, password used to access his or her account, financial data or information, insurance or medical information in all records, unlisted telephone number if so designated in a public record, personal e-mail address or cellular telephone number, day and month of birth, and information regarding public utility, television, Internet, or telephone accounts held by private

customers, provided that nonitemized bills showing amounts owed and amounts paid shall be available. Items exempted by this subparagraph shall be redacted prior to disclosure of any record requested pursuant to this article; provided, however, that such information shall not be redacted from such records if the person or entity requesting such records requests such information in a writing signed under oath by such person or a person legally authorized to represent such entity which states that such person or entity is gathering information as a representative of a news media organization for use in connection with news gathering and reporting; and provided, further, that such access shall be limited to social security numbers and day and month of birth; and provided, further, that the news media organization exception in this subparagraph shall not apply to paragraph (21) of this subsection.”

Illinois (Freedom of Information Act, 5 ILCS 140/1)

“(c-5) "Private information" means unique identifiers, including a person's social security number, driver's license number, employee identification number, biometric identifiers, personal financial information, passwords or other access codes, medical records, home or personal telephone numbers, and personal email addresses. Private information also includes home address and personal license plates, except as otherwise provided by law or when compiled without possibility of attribution to any person. For a public body that is a HIPAA-covered entity, "private information" includes electronic medical records and all information, including demographic information, contained within or extracted from an electronic medical records system operated or maintained by the public body in compliance with State and federal medical privacy laws and regulations, including, but not limited to, the Health Insurance Portability and Accountability Act and its regulations, 45 CFR Parts 160 and 164. As used in this subsection, "HIPAA-covered entity" has the meaning given to the term "covered entity" in 45 CFR 160.103.

Subject to this requirement, the following shall be exempt from inspection and copying:

[...]

(b) Private information, unless disclosure is required by another provision of this Act, a State or federal law, or a court order.”

§538. Copyrights, licensing restrictions and confidentiality

1. Information. The information developed by the network manager for InforME and public information made available through InforME is owned by the public, and copyright or licensing restrictions may not be fixed to this information by the board, the network manager or data custodians. [PL 1997, c. 713, §1 (NEW).]

2. Custody of network manager. The fact that information is in the custody of the network manager does not by itself make that information a public record. [PL 1997, c. 713, §1 (NEW).]

3. User records. Information in records of the network manager or collected by InforME relating to the identity of or use by users of electronic services is confidential and may be released only with the express permission of the user or pursuant to court order. This subsection does not affect the public record status of any records of data custodians regarding users. [PL 2011, c. 321, §16 (RPR).]

SECTION HISTORY

PL 1997, c. 713, §1 (NEW). PL 2011, c. 321, §16 (AMD).

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United States Code Annotated

Federal Rules of Civil Procedure for the United States District Courts (Refs & Annos)

Title II. Commencing an Action; Service of Process, Pleadings, Motions, and Orders

Federal Rules of Civil Procedure Rule 5.2

Rule 5.2 Privacy Protection for Filings Made with the Court

Currentness

(a) Redacted Filings. Unless the court orders otherwise, in an electronic or paper filing with the court that contains an individual's social-security number, taxpayer-identification number, or birth date, the name of an individual known to be a minor, or a financial-account number, a party or nonparty making the filing may include only:

- (1) the last four digits of the social-security number and taxpayer-identification number;
- (2) the year of the individual's birth;
- (3) the minor's initials; and
- (4) the last four digits of the financial-account number.

(b) Exemptions from the Redaction Requirement. The redaction requirement does not apply to the following:

- (1) a financial-account number that identifies the property allegedly subject to forfeiture in a forfeiture proceeding;
- (2) the record of an administrative or agency proceeding;
- (3) the official record of a state-court proceeding;
- (4) the record of a court or tribunal, if that record was not subject to the redaction requirement when originally filed;
- (5) a filing covered by Rule 5.2(c) or (d); and
- (6) a pro se filing in an action brought under 28 U.S.C. §§ 2241, 2254, or 2255.

(c) Limitations on Remote Access to Electronic Files; Social-Security Appeals and Immigration Cases. Unless the court orders otherwise, in an action for benefits under the Social Security Act, and in an action or proceeding relating to an order of removal, to relief from removal, or to immigration benefits or detention, access to an electronic file is authorized as follows:

(1) the parties and their attorneys may have remote electronic access to any part of the case file, including the administrative record;

(2) any other person may have electronic access to the full record at the courthouse, but may have remote electronic access only to:

(A) the docket maintained by the court; and

(B) an opinion, order, judgment, or other disposition of the court, but not any other part of the case file or the administrative record.

(d) **Filings Made Under Seal.** The court may order that a filing be made under seal without redaction. The court may later unseal the filing or order the person who made the filing to file a redacted version for the public record.

(e) **Protective Orders.** For good cause, the court may by order in a case:

(1) require redaction of additional information; or

(2) limit or prohibit a nonparty's remote electronic access to a document filed with the court.

(f) **Option for Additional Unredacted Filing Under Seal.** A person making a redacted filing may also file an unredacted copy under seal. The court must retain the unredacted copy as part of the record.

(g) **Option for Filing a Reference List.** A filing that contains redacted information may be filed together with a reference list that identifies each item of redacted information and specifies an appropriate identifier that uniquely corresponds to each item listed. The list must be filed under seal and may be amended as of right. Any reference in the case to a listed identifier will be construed to refer to the corresponding item of information.

(h) **Waiver of Protection of Identifiers.** A person waives the protection of Rule 5.2(a) as to the person's own information by filing it without redaction and not under seal.

CREDIT(S)

(Adopted April 30, 2007, effective December 1, 2007.)

<Amendments received through April 1, 2026>

Fed. Rules Civ. Proc. Rule 5.2, 28 U.S.C.A., FRCP Rule 5.2
Including Amendments Received Through 10-1-2026

Maine Rules of Electronic Court Systems

- (1) Mental health civil commitment proceedings;
- (2) Medical malpractice screening panel proceedings;
- (3) Sterilization proceedings;
- (4) HIV/AIDS testing proceedings;
- (5) Minor settlement proceedings;
- (6) Petitions for special findings and rulings of law for certain at-risk noncitizen children filed pursuant to 22 M.R.S. § 4099-I(2); and
- (7) Any other proceeding that is nonpublic by law.

(C) Public Cases. Court records in civil cases not listed in subdivision (B) of this rule are accessible by the public both remotely and at a courthouse except as otherwise provided by law, subdivision (D) of this rule, or court order.

(D) Limitations on Access to Court Records in Public Cases.

(1) Forcible Entry and Detainer (FED), Small Claims, and Foreclosure Cases Accessible by the Public only at a Courthouse. Before the entry of a judgment, or at any time before or after judgment if the parties agree, court records in forcible entry and detainer (FED), small claims, and foreclosure cases are accessible by the public only at a courthouse. In FED, small claims, and foreclosure cases:

(a) The registry of actions is accessible by the public remotely for three years only after a judgment has been entered against a defendant; and

(b) Other court records may be accessible by the public remotely when remote access is approved by the court.

(2) Extreme Risk Protection Matters. Documents in extreme risk protection matters—also known as weapons restriction matters—are accessible by the public only at the courthouse to the extent permitted by statute.

(3) Nonpublic Information.

(a) Social Security Numbers. When filing a document with the court that contains an individual's Social Security number, the filer may include only the last four digits of the Social Security number. If the Social Security number must be provided to the court, the filer must provide it on the Social Security Number Confidential Disclosure Form (CR-CV-FM-PC-200) that is filed as nonpublic.

(b) Financial Account Numbers. Court records must not contain a complete financial account number; only the last four digits of the financial account number may be included. If the complete financial account number must be included in a court record, it must be done in compliance with Rule 38(B)(1).

(c) Information that is Nonpublic by Law. When filing a public document that contains information that is nonpublic by law, the filer must omit or redact the nonpublic information.

(d) Protective Orders. For good cause, the court may by order in a case require redaction or omission of additional information or limit or prohibit a nonparty's remote electronic access to a document filed with the court.

(4) Nonpublic Documents. The following documents are nonpublic, except as provided by law:

(a) Disability accommodation requests;

(b) Images of minors and persons of any age subject to guardianship, conservatorship, or mental health commitment proceedings;

(c) Images depicting nudity or of a sexual nature, including sexual acts, sexual contact, or sexual touching;

(d) Immigration and visa documents and any related work authorizations;

(e) Court records relating to applications for court-appointed counsel and fee waivers, including indigency affidavits and any attachments;

(f) Personal financial documents, including financial statements, tax documents including W-2s, paystubs, bank statements, account statements, and payment histories;

(g) Personal health and medical records, including HIV/AIDS testing information and results, all mental health evaluations and records, forensic evaluations, all reports and notices regarding persons in the custody of the Commissioner of Health and Human Services, substance use evaluations and treatment records, psychological records, and intelligence test documents and results;

(h) School and education records;

(i) Birth certificates and death certificates;

(j) Requests for appointment of a guardian ad litem, orders appointing guardians ad litem, guardian ad litem reports, and guardian ad litem vouchers;

(k) Reports of sexual assault forensic examination kits;

(l) Social Security Number Confidential Disclosure Form;

(m) Files, reports, records, communications, and working papers used or developed in providing child advocacy center services pursuant to 22 M.R.S. § 4019(9);

(n) Recordings of child advocacy center forensic interviews pursuant to 22 M.R.S. § 4019(9-A);

(o) Civil summary sheet;

(p) Party contact information form; and

(q) Any other information or court record to which public access is prohibited by law.

Advisory Note – January 2026

Rule 4(B) is amended to add as nonpublic cases: petitions for special findings and rulings of law for certain at-risk noncitizen children filed pursuant to 22 M.R.S. § 4099-I(2). Rule 4(B) is also amended to remove extreme weapon protection orders as a nonpublic case type. Access to those records is now governed by Rule 4(D)(2), which states documents in these matters are accessible by the public at the courthouse to the extent permitted by statute. The amendment also clarifies that other proceedings may be nonpublic by law.

Rule 4(D)(1) is amended pursuant to 4 M.R.S. § 9-C to clarify that in FED and small claims cases, and in foreclosure cases, all court records are available only at a courthouse before judgment and after judgment upon agreement of the parties. Absent party agreement to the contrary, after judgment for the plaintiff in FED, small claims, and foreclosure cases, the registry of actions and other court records approved by the court for remote access will be accessible by the public remotely for three years. Rule 4(D)(1) is also amended to remove the references to foreclosure cases as they are not covered by 4 M.R.S. § 9-C.

Rule 4(D)(3) lists the information that is nonpublic in civil cases.

Rule 4(D)(4) lists the documents that are nonpublic in civil cases. Rule 4(D)(4)(g) includes all reports and notices regarding persons in the custody of the Commissioner of Health and Human Services.

Advisory Note – March 2021

Rule 4(A)(1) is amended to omit the language providing that “[n]o court record will be accessible by the public until three business days after the court clerk has accepted the submissions of both the case initiating documents and proof of service of process of those documents on at least one defendant,” with “[t]he date of acceptance [to] be determined by application of these rules.” The rule now provides that a court record in a civil case is accessible to the public upon entry into the electronic case file unless prohibited by law or by court order.

Rules 4(A)(2) and (3) are amended to omit language providing for public access to court records related to *ex parte* motions three days after acceptance by the court clerk of proof of service of the motion, case initiating documents, and any applicable writ or court order issued as a result of the motion.

Rule 12 provides that it is the responsibility of the filing party to ensure that sealed, impounded, or nonpublic cases, court records, data, documents, and information are redacted before submission, or otherwise submitted to the court in accordance with these rules.

Advisory Note – December 2020

Rule 4(A)(1) is amended to clarify that the clerk's acceptance of both the court record and proof of service are required before the record will become accessible.

Rule 4(A)(2) and (3) are amended to clarify that accessibility of *ex parte* motions, related materials, and orders is dependent on whether the entity seeking access is a party or a member of the public.

RULE 5. CRIMINAL CASES

(A) Criminal Court Records Accessible by the Public.

(1) Accessible by the Public Remotely and at a Courthouse. Court records in criminal cases are accessible by the public both remotely and at a courthouse except as otherwise provided by law, subdivision (A)(2) of this rule, or court order.

(2) Accessible by the Public only at a Courthouse. The following criminal court records are accessible by the public only at a courthouse, except as otherwise provided by law or court order:

- (a)** Bail bond and conditions of release;
- (b)** Probation conditions;
- (c)** Administrative release;

(d) Court records in a multi-charge case in which only some of the charges have been unconditionally pardoned; and

(e) Court records in a multi-charge case in which only some of the charges have been sealed.

(3) Nonpublic Information.

(a) **Victim Information.** Court documents must not include a victim's address or location, or any information that contains information from which a victim's current address or location could be determined. If the information must be included in a court record, it must be done in compliance with Rule 38(B)(1).

(b) **Social Security Numbers.** Court documents must not include an individual's Social Security number, only the last four digits of the Social Security number may be included. If the complete Social Security number must be included in a court record, it must be provided on the Social Security Number Confidential Disclosure Form (CR-CV-FM-PC-200) that is filed as nonpublic.

(c) **Financial Account Numbers.** Court records must not contain a complete financial account number, only the last four digits of the financial account number may be included. If the complete financial account number must be included in a court record, it must be done in compliance with Rule 38(B)(1).

(d) **"Confidential criminal history record information," Designated as Confidential Court Information.** As defined by 16 M.R.S. § 703(2) "confidential criminal history record information" is public if accessible by the public pursuant to Rule 5(A) or as declared by Public Information and Confidentiality, Me. Admin. Order JB-05-20, pursuant to 16 M.R.S. § 705(1)(B), unless specifically designated as confidential court information by court order.

**STATE OF MAINE
SUPREME JUDICIAL COURT**

ADMINISTRATIVE ORDER JB-05-20 (A. 8-25)

PUBLIC INFORMATION AND CONFIDENTIALITY

Effective: August 14, 2025

This order amends JB-05-20 as amended by A. 5-24, promulgated and effective on May 6, 2024.

I. SCOPE AND PURPOSE

This order governs the release of public information and the protection of confidential and other sensitive information within the Judicial Branch. It is the policy of the Judicial Branch to provide meaningful access to court dockets, case files, and related information to the public; to appropriately and consistently respond to nonroutine requests by the public for information; to protect information that is designated as confidential from inadvertent or inappropriate disclosure and to assure that sensitive information is only communicated to appropriate recipients outside of the Judicial Branch. This order applies to all case types, including civil and criminal cases.

II. DEFINITIONS

For purposes of this order, the following terms have the following meanings:

- A. "Administration of civil justice" has the same meaning as is defined by 16 M.R.S. §§ 632 and 803(1).
- B. "Administration of criminal justice" has the same meaning as is defined by 16 M.R.S. § 703(1) and/or 16 M.R.S. § 803(2).¹
- C. "Administration of juvenile justice" has the same meaning as is defined by 16 M.R.S. § 803(3).

¹ "M.R.S." refers to the Maine Revised Statutes. The title number precedes "M.R.S." and the section number is provided after the section symbol (§).

- D. "Aggregate information" means a request for information that is not maintained in the requested form and that would have to be assembled or derived from other records.
- E. "AOC" means the Administrative Office of the Courts.
- F. "At and by courts" means information or records of public judicial proceedings that are maintained at a clerk's office or transferred to the Records Center or other records storage under the control of a clerk's office.
- G. "Clerk's office" means the office of the Clerk of the Law Court or of any Superior or District Court or any Consolidated Clerk's Office.
- H. "Confidential court information" means any of the following:
 - 1. Information—not including "public court information" as defined in this Administrative Order—that is made confidential by statute, policy, Administrative Order or rule.
 - 2. Information or a portion of the information that was impounded or sealed by a judge or is the subject of a pending motion or other request for impoundment or sealing.²
 - 3. Information that is contained in a judge's, magistrate's, clerk's, or law clerk's notes; a judge's, magistrate's, clerk's, or law clerk's drafts; communications between judges, magistrates, law clerks, or clerks regarding the decision of cases; or other judicial working papers.
 - 4. Information that is contained in or relates to a pending request for an outstanding search warrant, arrest warrant, or

² In some limited circumstances, all information about a case may be impounded, specific information within a case, such as the identity of a party, or the fact that an impoundment motion was made and granted may be impounded or sealed. In these circumstances, judges need to make the scope of the impoundment order clear to the clerk's office. The clerk's office and OIT staff must take appropriate steps to ensure that the impounded information is not reflected in publicly available materials such as dockets, indices, and displays at public access terminals.

other document that contains confidential law enforcement information.³

5. Psychiatric reports, which shall be impounded upon their receipt by the clerks subject to the following rules:
 - (a) The clerks shall notify counsel of record or self-represented parties of the receipt of any such reports and permit counsel or self-represented parties to inspect such reports at the clerks' offices; in criminal cases the clerks shall also make available to counsel or self-represented parties copies of the same if they have not otherwise received copies; and
 - (b) Such reports may in whole or in part be released from impoundment by specific written authorization of the court under such conditions as the court may impose; and
 - (c) Such reports may be used in evidence in the proceeding in connection with which it was obtained.
6. Information contained in reports of cellphone or other electronic device location information filed with the Kennebec County Consolidated Clerk's Office pursuant to the provisions of 16 M.R.S. § 650 unless otherwise ordered released by the court.
7. Any information that has been derived from confidential court information or files and then aggregated into a record by the Court. The aggregated record is deemed confidential.
8. Requests for appointment of a guardian ad litem, orders appointing a guardian ad litem, and reports of a guardian ad litem subject to the following rule:

³ This provision does not prohibit the release of executed or unexecuted warrants for failure to appear or failure to pay fines, fees, or restitution.

- (a) The clerk shall not disclose or provide these records to any person except those listed below, unless specifically authorized by a court's order:
 - (i) A party in the case;
 - (ii) An attorney representing a party in the case;
 - (iii) A GAL presently appointed to the case;
 - (iv) A parent whose parental rights have not been terminated, a legal guardian, or a custodian of a juvenile in a Title 15 case; and
 - (v) A representative of, or attorney for, the Department of Health and Human Services when a transfer of custody of a juvenile is being considered under 15 M.R.S. § 3314.

9. Social security numbers (SSN) subject to the following rules:

- (a) When disclosure of a SSN is required in any court proceeding, and the SSN is to be maintained in a case file in the office of the Clerk of Court, individuals will record their Social Security Numbers only on specific forms provided by the Court for that purpose.
- (b) The clerk shall not disclose or provide the SSN to any person except those listed below, unless specifically authorized by court order:
 - (i) The person whose SSN is on the document;
 - (ii) An attorney who appears on behalf of the person who entered a SSN in a court file pursuant to this Administrative Order;

- (iii) A Department of Health and Human Services representative in Family Matter cases involving child support, *see, e.g.*, 19-A M.R.S. § 2006(10);
 - (iv) A prosecutor, law enforcement officer, representative of any correctional facility or official court financial screener if the request is made by that person in their official capacity;
 - (v) A representative of an agency that is providing pretrial services to the person in a pending court matter may have access to the SSN of that person if that person has entered a SSN in a court file pursuant to this Administrative Order if the request is made by that person in their official capacity.
10. Qualified domestic relation orders (QDROs) subject to the following rule: The clerk shall not disclose or provide a copy of a QDRO to any person except those listed below, unless specifically authorized by court order:
- (a) A person who was a party in the case in which the QDRO was entered;
 - (b) An attorney representing a person who was a party in the case in which the QDRO was entered;
 - (c) A representative of an organization issuing or maintaining the QDRO account.
11. Preliminary protection orders (PPOs) issued pursuant to 22 M.R.S. § 4034, subject to the following rule:
- (a) The clerk shall not disclose or provide a copy of a PPO to a person who is a parent, legal guardian, or custodian to the child on whom a PPO was issued until the person has been provided notice or served as

required by 22 M.R.S. § 4033(2), (3), or (3-A), or as specifically authorized by court order.

- I. "Confidential criminal history record information" has the same meaning as is defined by 16 M.R.S. §§ 632(2-A) and 703(2).
- J. "Criminal history record information" has the same meaning as is defined by 16 M.R.S. §§ 632(3) and 703(3).
- K. "Criminal justice agency" has the same meaning as is defined by 16 M.R.S. §§ 632(4), 703(4), and 803(4).
- L. "Disposition" has the same meaning as is defined by 16 M.R.S. §§ 632(6) and 703(5).
- M. "Dissemination" has the same meaning as is defined by 16 M.R.S. §§ 703(6) and 803(5).
- N. "Executive order" has the same meaning as is defined by 16 M.R.S. §§ 632(7) and 703(7).
- O. "Intelligence and investigative record information" has the same meaning as is defined by 16 M.R.S. § 803(7).
- P. "Judge" means a Justice of the Supreme Judicial Court or Superior Court, a Judge of the District Court, or the Chief Justice or Judge of those courts, or a Family Law Magistrate.
- Q. "Noncriminal justice agency" means a governmental entity or agency that is not engaged in the administration of the criminal justice system.
- R. "Nonroutine request" means a request for information that is not contained in case files, dockets, indices, lists, or schedules, or a request that seeks confidential, impounded, or sealed information.
- S. "OIT" means the Office of Information Technology within the Administrative Office of the Courts.

SUMMARY OF PRIVACY LAWS

Federal: The Privacy Act of 1974

The Privacy Act of 1974 (5 USC § 552a) provides safeguards against invasion of personal privacy through the misuse of records by federal agencies. The Privacy Act was passed to establish controls over what personal information is collected, maintained, used and disseminated by agencies in the executive branch of the federal government. The Act only applies to records that are located in a “system of records.” As defined in the Privacy Act, a system of records is “a group of any records under the control of any agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual.” The Privacy Act regulates federal government agency recordkeeping and disclosure practices. The Act allows most individuals to seek access to federal agency records about themselves and requires that personal information in agency files be accurate, complete, relevant and up-to-date. The subject of a record may challenge the accuracy of information and ask that it be corrected. The Act requires that agencies obtain information directly from the subject of the record to the greatest extent practicable and that information gathered for one purpose not be used for another incompatible purpose.

“No agency shall disclose any record which is contained in a system of records by any means of communication to any person, or to another agency, except pursuant to a written request by, or with the prior written consent of, the individual to whom the record pertains, unless disclosure of the record would be”:

- (1) to those officers and employees of the agency which maintains the record who have a need for the record in the performance of their duties;
- (2) required under the Freedom of Information Act;
- (3) for a routine use (as defined in and described in the Privacy Act);
- (4) to the Bureau of the Census for purposes of planning or carrying out a census or survey or related activity;
- (5) to a recipient who has provided the agency with advance adequate written assurance that the record will be used solely as a statistical research or reporting record, and the record is to be transferred in a form that is not individually identifiable;
- (6) to the National Archives and Records Administration as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government, or for evaluation by the Archivist of the United States or the designee of the Archivist to determine whether the record has such value;
- (7) to another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if the head of the agency or instrumentality has made a written request to the agency which maintains the record specifying the particular portion desired and the law enforcement activity for which the record is sought;
- (8) to a person pursuant to a showing of compelling circumstances affecting the health or safety of an individual if upon such disclosure notification is transmitted to the last known address of such individual;
- (9) to either House of Congress, or, to the extent of matter within its jurisdiction, any committee or subcommittee thereof, any joint committee of Congress or subcommittee of any such joint committee;
- (10) to the Comptroller General, or any of his authorized representatives, in the course of the performance of the duties of the Government Accountability Office;
- (11) pursuant to the order of a court of competent jurisdiction; or
- (12) to a consumer reporting agency (in accordance with federal law).

SUMMARY OF PRIVACY LAWS

State privacy laws

- Many statutes are considering and adopting data security and data breach statutes (like EU General Data Protection Regulation) (see chart from IAPP)
- Fair information practices acts
 - California Information Practice Act – includes limitations on the collection of unnecessary data, and state agencies can maintain only information that is relevant and necessary to accomplish a purpose of the agency required or authorized by law.
 - Massachusetts Fair Information Practices Act – sets requirements for a “holder” of personal information, who must identify one individual responsible for ensuring that the law’s requirements are followed.
 - Minnesota Government Data Practices Act – limits disclosure of data on individuals that is designated as private (accessible to the individual) or confidential (not accessible to the individual). Notice of uses when information collected and who will have access to the data.
 - New York Personal Privacy Protection Act – mandates Fair Information Practices for each state agency that “maintains a system of records,” including maintaining only such personal information that is relevant and necessary to accomplish a purpose of the agency established by statute or executive order. Notice of uses when information collected.
 - Wisconsin Fair Information Practices Act – sets standards for use of personal information by state agencies, including procedure limits on computer matching. No state authority that maintains an Internet site may use that site to obtain personally identifiable information from any person who visits that site without the consent of the person from whom the information is obtained (can collect IP addresses).
- Statutory provisions protecting privacy interests by specifying exemptions from disclosure or application of public records access laws (not including protections solely for personnel records of public employees)
 - California
 - Personnel, medical or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy.
 - If an agency withholds disclosing any record, it must justify the withholding by demonstrating that the record in question is exempt under express provisions of the law or that on the facts of the particular case the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record.
 - Hawaii
 - Government records which, if disclosed, would constitute a clearly unwarranted invasion of privacy – requires case by case analysis.
 - Illinois
 - Private information, unless disclosure is required by another provision of Act, a State or federal law or a court order.
 - Personal information contained within public records, the disclosure of which would constitute an unwarranted invasion of personal privacy, unless the disclosure is consented to in writing. “Unwarranted invasion of personal privacy” means the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject’s right to privacy outweighs any legitimate public interest in obtaining the information. The

SUMMARY OF PRIVACY LAWS

disclosure of information that bears on the public duties of public employees and officials is not considered an invasion of personal privacy.

Iowa

- The district court, upon request, can enjoin the examination (including copying) of a specific public record or a narrowly drawn class of public records if the court finds that the examination of the public record would not be in the public interest, AND that the examination would substantially and irreparably injure any person or persons.

Kentucky

- Excluded from the application of public records law and subject to inspection only upon order of the court: public records containing information of a personal nature where the public disclosure thereof would constitute a clearly unwarranted invasion of personal privacy.

Massachusetts

- Law exempts any other materials or data relating to a specifically named individual, the disclosure of which may constitute an unwarranted invasion of personal privacy.

Michigan

- A public body may exempt from disclosure as a public record: Information of a personal nature if public disclosure would constitute a clearly unwarranted invasion of an individual's privacy.

Montana

- "Confidential information" means information that is accorded confidential status or is prohibited from disclosure as provided by applicable law. It includes information that is constitutionally protected from disclosure because an individual privacy interest clearly exceeds the merits of disclosure.

New Hampshire

- Exempt from the provisions of governmental records law: confidential, commercial or financial information; other files whose disclosure would constitute invasion of privacy. Court engages in a three-step analysis when considering whether disclosure of public records constitutes an invasion of privacy:
 1. Evaluate whether there is a privacy interest at stake that would be invaded by disclosure;
 2. Assess the public's interest in disclosure – disclosure should inform the public about the conduct and activities of their government; and
 3. Balance the public interest in disclosure against the government interest in nondisclosure and the individual's privacy interest in nondisclosure.

New Jersey

- "A public agency has a responsibility and an obligation to safeguard from public access a citizen's personal information with which it has been entrusted when disclosure thereof would violate the citizen's reasonable expectation of privacy."

New York

- Statute allows for the withholding of records to prevent "unwarranted invasions of personal privacy." The statute defines an "unwarranted invasion of person privacy" to include, but not be limited to, employment, medical and economic information, as well as names and addresses to be used for solicitation and fund-raising purposes.

SUMMARY OF PRIVACY LAWS

Oregon

- Exemptions include information of a personal nature such as but not limited to that kept in a personnel, medical or similar file, if public disclosure would constitute an unreasonable invasion of privacy, unless the public interest by clear and convincing evidence requires disclosure in the particular instance. The party seeking disclosure has the burden of showing that public disclosure would not constitute an unreasonable invasion of privacy.

Pennsylvania

- Exempt from access: a record the disclosure of which would be reasonably likely to result in substantial and demonstrable risk of physical harm to or the personal security of an individual.
- Exempt from access: personal identification information.

Rhode Island

- Statutory right to privacy – but the right does not limit or abridge any existing right of access at law or in equity of any party to the records kept by any agency of state or municipal government.

South Carolina

- A public body may but is not required to exempt from disclosure information of a personal nature where the public disclosure thereof would constitute unreasonable invasion of privacy.

South Dakota

- Not subject to public records disclosure law: records which, if disclosed, would constitute an unreasonable release of personal information.

Texas

- Statute exempts from disclosure information considered to be confidential by law, either constitutional, statutory or by judicial decision.
- Common law protections recognized in earlier court cases excepted information whose disclosure would violate one's common-law right to privacy in the sense of being left alone and free of unwarranted publicity. The information is shielded if the information contains highly intimate or embarrassing facts the publication of which would be highly objectionable to a reasonable person AND the information is not of legitimate concern to the public.

Utah

- The law exempts from disclosure records containing data on individuals the disclosure of which constitutes a clearly unwarranted invasion of personal privacy.

Vermont

- Access to public records policy includes: All people, however, have a right to privacy in their personal and economic pursuits, which ought to be protected unless specific information is needed to review the action of a government officer.

Washington

- Statute provides for "Invasion of privacy": A person's "right to privacy," "right of privacy," "privacy," or "personal privacy," as these terms are used in this chapter, is invaded or violated only if disclosure of information about the person: (1) Would be highly offensive to a reasonable person, and (2) is not of legitimate concern to the public. The provisions of this chapter dealing with the right to privacy in certain public records do not create any right of privacy beyond those rights that are specified in this chapter as express exemptions from the public's right to inspect, examine or copy public records.

SUMMARY OF PRIVACY LAWS

West Virginia

- Exempt from disclosure: information of a personal nature such as that kept in a personal, medical or similar file, if the public disclosure of the information would constitute an unreasonable invasion of privacy, unless the public interest by clear and convincing evidence requires disclosure in this particular instance.

Wisconsin

- Policy statement: the public records statute must be construed in every instance with a presumption of complete public access, consistent with the conduct of governmental business. The denial of public access generally is contrary to the public interest, and only in an exceptional case may be denied.
- Case law: An exceptional case exists when the facts are such that the public policy interests favoring nondisclosure outweigh the public policy interests favoring disclosure, notwithstanding the strong presumption for access.

Wyoming

- If in the opinion of the official custodian of any public record, disclosure of the contents of the record would do substantial injury to the public interest, notwithstanding the fact that the record might otherwise be available to public inspection, he may apply to the district court for an order permitting him to restrict disclosure.

- Case law protecting privacy interests

Arizona: No statutory privacy definition or protection

- Although there is a presumption in favor of access to public records, this presumption may be outweighed by legitimate government considerations of privacy and the best interests of the State (State has the burden of overcoming legal presumption of disclosure).
- The Arizona courts have recognized that protecting personal privacy may justify an exception to the general presumption of access to public records. An exception is warranted when the disclosure would invade privacy and that invasion outweighs the public's right to inspection.

Arkansas: No statutory definition of privacy or protection

- Court recognized a constitutional right to privacy: For items that involve personal matters, the final question is whether the governmental interest in disclosure under the (Arkansas) Freedom of Information Act outweighs the individual's privacy interest in the nondisclosure of personal matters. (Individual weighing by custodian, subject to review by the court).

Louisiana: Constitutional right to privacy

- Persons are protected from only "unreasonable" invasions of privacy.
- No legislative provisions that specifically define the parameters of the right, for the purposes of public records disclosures, so up to courts to determine (only a few cases) – balance the right of privacy with the right to examine public records.

Nevada: No statutory definition of privacy or protection

- In those instances in which the Legislature has not specified a particular record to be confidential, a balancing test must be applied to determine whether a record is a public record subject to the provisions of the Public Records Act: balances the interest and justification of the agency, or the public in general, of maintaining the confidentiality of the document against the interest or need of the public to review the document.

SUMMARY OF PRIVACY LAWS

New Mexico: No statutory definition of privacy or protection

- Statute provides exception from inspection “as otherwise provided by law.” Court has interpreted that to include regulations adopted by agencies and boards, but the information is still subject to balancing the benefit to the public with the individual’s privacy interests.

G:\STUDIES\STUDIES 2019\RTKAC\Privacy statutes\Privacy laws - summary.docx (10/4/2019 9:36:00 AM)

J. CHRISTOPHER PARR
LEWISTON, MAINE 04240

October 14, 2026

Right to Know Advisory Committee
c/o Office of Policy & Legal Analysis
13 State House Station
Augusta, ME 04333-0013

RE: POSSIBLE EXPANSION OF THE SCOPE OF THE 1 M.R.S. § 402(3)(N) "PUBLIC RECORDS" DEFINITION EXCEPTION

Dear Chair Carney and Members of the Committee:

Although I am an employee of the State of Maine, I send this correspondence to the subcommittee solely in my personal capacity as a resident of Maine, to share a perspective of a member of the public.

Based on the discussion that occurred during the most recent meeting of the full Right to Know Advisory Committee ("RTKAC"), I understand that the committee might consider expanding the scope of the exception to the definition of the term "public records" at 1 M.R.S. § 402(3)(N), so that certain other types of personally identifying information ("PII") in addition to social security numbers (SSNs) would be made nonpublic under the Maine Freedom of Access Act ("FOAA").

As an initial matter, I would call the committee's attention to 1 M.R.S. § 414 of the FOAA, which provides as follows:

§ 414. Public records; information technology

An agency shall consider, in the purchase of and contracting for computer software and other information technology resources, the extent to which the software or technology will:

- 1. Maximize public access.** Maximize public access to public records; and
- 2. Maximize exportability; protect confidential information.** Maximize the exportability of public records while protecting confidential information that may be part of public records.

As one can perhaps discern, subsection 2 of section 414 – which has been in effect since approximately 2012 – requires government agencies to purchase and contract for computer software and information technology ("IT") resources that "maximize the exportability of public records while protecting confidential information that may be part of public records." In that way, the FOAA for years has mandated that government agencies consider designing and building their IT systems to maximize access to information in them while also protecting coexisting "confidential" data.

In light of section 414, a problem with which the committee will need to contend is how other types of PII that the committee might wish to bring under paragraph N's scope will

be able to be accommodated by existing computer systems and processes that were built on a presumption that at least some types of PII *are* publicly accessible. Considered differently: How will such systems and processes be retrofitted to make types of information that are currently publicly accessible, nonpublic? And further, as a fiscal and technological matter, *can* such systems and processes be retrofitted to do so?

To focus those questions, consider Maine Crash Reporting System (“MCRS”) reports, which are the types of reports that law enforcement officers must complete when a reportable motor vehicle accident has occurred.

Currently, any individual on Earth with access to the internet and \$10 can purchase such a report. All that one needs to conduct an online search and to order a copy of a report is – at a minimum – the last name of *any* person (i.e., not even a *specific* person) who happened to be somehow involved in a motor vehicle crash.

Attached to this letter are two examples of MCRS reports. One report documents a motor vehicle crash in which I was involved in 2024; the other documents a 2026 crash that involved a school bus. **When reviewing these two examples, please bear in mind that I made and applied the redactions in the documents.** When such reports are sent to the persons purchasing them, **no redactions are actually made in the reports.**

As you will see, MCRS reports include a number of types of PII: persons’ first and last names, their sexes, dates of birth, driver’s license numbers, insurance policy names and numbers, and home addresses, to name the more common types. Even the names and birth dates of minors are included in the reports, when applicable.

To be sure, MCRS crash reports are but just one kind of public record that includes types of PII that the committee might consider adding to paragraph N. The value of considering the reports, however, is that they concretely present some of the challenges through which the committee will need to work when deciding how broadly paragraph N’s protections should be (and, as a practical matter, can be) expanded.

Thank you considering this letter. Please feel welcome to contact me via the email address given below if you have any questions about the thoughts I have shared.

Respectfully,



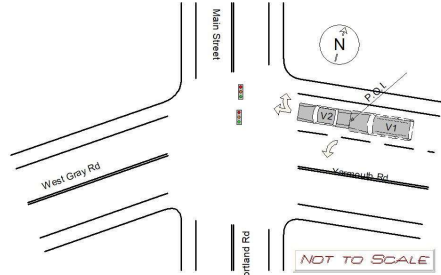
J. Christopher Parr
jchristopherparr@yahoo.com

Cc: Members of the RTKAC, Public Record Exceptions Subcommittee

STATE OF MAINE CRASH REPORT

FIRST PAGE

☐ Secondary CrashF
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Reporting Agency ME0030000		Report Number 24-038515		Crash Date 12/20/2024		Crash Time 18:42		At Scene Date 12/20/2024		At Scene Time 18:47	
City or Town Gray			Street or Highway YARMOUTH RD			Intersection Int of MAIN ST PORTLAND RD W GRAY RD YARMOUTH R			☐ Off Road		
Direction FROM Nearest Intersection to Crash Site ☒ At Intersection ☐ North ☐ South ☐ East ☐ West				Distance From Nearest Inter. 17 ☒ Feet ☐ Miles		Latitude 43.885200			Longitude -70.330620		
Node 1 14846		Node 2 17095		Measurement Node 17095		Distance to Scene 0 : 0 : 0 Miles 0 : 0 : 0 Tenth 0 : 0 : 0 Miles 30 : 0 : 0 Hour		☐ Unknown ☐ Not Posted 25 ☐ N/A ☐ Not Posted 45			
(F1) Type of Crash 4 - Intersection Movement						(F2) Type of Location 4 - Four Leg Intersection					
(F3) Weather Condition 6 - Snow						(F4) Light Condition 4 - Dark - Lighted					
(F5) Road Grade 1 - Level						(F6) Road Surface Condition 2 - Wet					
(F7) Traffic Control Device 1 - Traffic Signals (Stop & Go)						Traffic Control Device Operational (pre-crash)? ☒ Yes ☐ No ☐ Unk					
(F8) Location of First Harmful Event 1 - On Roadway						Total Damage over Threshold? ☒ Yes ☐ No					
(F9) Contributing Circumstances - Environment 1 1 - None						(F9) Contributing Circumstances - Environment 2					
(F10) Contributing Circumstances - Road 1 1 - None						(F10) Contributing Circumstances - Road 2					
In or Near a Construction, Maintenance, or Utility Work Zone? ☐ Yes ☒ No ☐ Unk						Work Zone Workers Present? ☐ Yes ☐ No ☐ Unk					
(F11) Location of the Crash related to Work Zone						(F12) Type of Work Zone					
Law Enforcement Present at Work Zone? ☐ Officer Present ☐ Law Enforcement Vehicle Only ☐ No						School Bus Related? ☐ Yes, Directly Involved ☐ Yes, Indirectly Involved ☒ No					
NARRATIVE On Friday, December 20, 2024 at 18:42:00, Dep Peter Anderson responded to a crash at the intersection of YARMOUTH RD and Int of MAIN ST PORTLAND RD W GRAY RD YARMOUTH R in Gray Maine. At the time of the crash, the weather was snow and the road surface was wet. Vehicles... V2 and V1 both stopped at red light. V1 thought V2 had started to proceed and V1 then started to proceed and crashed into rear of V2 causing very minor damage to both vehicles. Vehicle #1, operated by Benjamin [REDACTED] was westbound starting in traffic and followed too closely. Vehicle #1 sustained functional damage to the front. Operator of V1 license was showing suspended (insurance) but believed to be a clerical issue/error. Vehicle #1 occupant(s) are listed below: Driver: Benjamin [REDACTED] Injury: (O) No Apparent Injury Passenger: [REDACTED] [REDACTED] Injury: (O) No Apparent Injury Vehicle #2, operated by James Parr was westbound stopped in...						CRASH DIAGRAM  [NOTE: Redactions in the copy of this report were made and applied by JC PARR.]					
Witness Last Name		First		MI		Address		City		State Zip	
Witness Last Name		First		MI		Address		City		State Zip	
Non Vehicle Property Damage Description						☐ State ☐ City or Town ☐ Utilities ☐ Private					
Property Owner Name						Address		City		State Zip	
Non Vehicle Property Damage Description						☐ State ☐ City or Town ☐ Utilities ☐ Private					
Property Owner Name						Address		City		State Zip	
Reporting Officer Dep Peter Anderson				Badge# 26		Report Date 12/20/2024		Approved By Lt. Joseph Dyar		Approved Date 12/21/2024	

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Report Number 24-038515		STATE OF MAINE CRASH REPORT				UNIT PAGE											
Unit ID 1	☐ Hit Run?	VIN [REDACTED]	License Plate [REDACTED]	State ME	(U1) Unit Type 2 - (Sport) Utility Vehicle												
☐ No Insurance		NAIC [REDACTED]	Insurance Company Name [REDACTED]		Insurance Policy Number [REDACTED]												
(U2) Vehicle Make 65 - SUBARU			Vehicle Year 2012	(U3) Vehicle Color 1 - Black													
(U4) Vehicle Configuration			GVWR or GCWR ☐ < 10,000 lbs. ☐ 10,001 - 26,000 lbs. ☐ > than 26,000 lbs.														
Vehicle Has 9 or More Seats ? ☐ Yes ☒ No		HAZMAT Placarded ? ☐ Yes ☒ No		Vehicle Travel Direction ☐ Northbound ☐ Southbound ☐ Eastbound ☒ Westbound ☐ Not on Roadway ☐ Unknown													
(U5) Special Function Vehicle 1 - No Special Function			☐ Exempt Vehicle		Emergency Vehicle Responding to Scene ? ☐ Yes ☐ No												
Extent of Damage ☐ No Damage Observed ☐ Minor Damage ☐ Towed Due to Disabling Damage ☐ Functional Damage			(U6) Most Damaged Area 12 - Front		(U7) Most Harmful Event 13 - Motor Vehicle in Transport												
Trailer 1 VIN		Trailer 1 Plate	State	Trailer 2 VIN		Trailer 2 Plate	State										
(U8) Pre Crash Actions 9 - Starting in traffic			(U9) Contributing Circumstances - Vehicle 1 - None														
(U10) Sequence of Events 1 21 - Motor Vehicle In Transport		(U10) Sequence of Events 2		(U10) Sequence of Events 3		(U10) Sequence of Events 4											
Automation System In Vehicle		(U11) Automation Levels In Vehicle			(U11) Automation Levels Engaged												
☒ Driver ☐ Bicycle ☐ Pedestrian ☐ Last Known Operator		License Number [REDACTED]	☐ Active ☐ No License ☐ Permit ☒ Suspended	State ME	License Class C	Endorsements 0	Restrictions 0										
DRIVER Last Name [REDACTED], Benjamin S		First Name	MI	DRIVER Address [REDACTED]		City ME	State	Zip									
Citation Number		Pending ☐		Violation 1		Violation 2											
OWNER Last Name (skip if same as Driver) First Name [REDACTED], Benjamin S		MI		OWNER Address [REDACTED]		City ME	State	Zip									
(D1) Distracted By 1 - Not Distracted			(D2) Condition at Time of Crash 1 - Apparently Normal														
(D3) Driver Actions at Time of Crash 1 14 - Followed Too Closely			(D3) Driver Actions at Time of Crash 2														
Alcohol Test ☐ Breath ☐ Urine ☒ Test Not Given		☐ Test Refused ☐ Blood ☐ Other Chemical Test (Not Field Sobriety or PBT)			Alcohol Test Result Pending		Alcohol BAC Result										
Drug Test ☒ Test Not Given		☐ Test Refused ☐ Blood ☐ Urine ☐ Other			Drug Test Result ☐ Pending ☐ Positive ☐ Negative												
(D4) Non Motorist Location at Time of Crash			(D5) Non Motorist Action Prior to Crash														
(D6) Non Motorist Action at Time of Crash 1			(D6) Non Motorist Action at Time of Crash 2														
(D7) Pedestrian Maneuvers			(D8) Bicyclist Maneuvers														
PERSON TYPE 1-Driver, 2-Passenger, 3-Pedestrian, 6-Driver/Owner, 7-Bicycle, 8-Passenger/Owner, 24-Last Known Operator 25-Last Known Operator/Owner																	
SEAT ROW 1-Front Row 2-Second Row 3-Third Row 4-Fourth Row 5-Other Row 6-Unknown		SEAT POSITION 1-Left (driver) 2-Middle 3-Right 4-Other 5-Unknown		SEAT POSITION OTHER 1-Sleeper Section of Cab (truck) 2-Other Enclosed Cargo Area 3-Unenclosed Cargo Area 4-Trailing Unit 5-Riding on Motor Vehicle Ext (non-trailing unit) 6-Unknown		AIRBAG DEPLOYED 1-Not Applicable 2-Not Deployed 3-Deployed - Front 4-Deployed - Side 5-Deployed - Other (knee, air belt,...) 6-Deployed - Combination 7-Deployment - Curtain		RESTRAINT SYSTEM 1-Not Applicable 2-None Used - Motor Vehicle Occupant 3-Shoulder and Lap Belt Used 4-Shoulder Belt Only Used 5-Lap Belt Only Used 6-Restraint Used - Other 7-Child Restraint - Forward Facing 8-Child Restraint - Rear Facing 9-Child Restraint - Used Incorrectly 10-Booster Seat 11-Child Restraint - Other		INJURY TYPE 1-Amputation 2-Bleeding 3-Broken Bones 4-Burns 5-Concussion 6-Shock 7-Dizziness 8-Abrasion/Bruises 9-Complaint of Pain 10-Other		INJURY AREA 1-Face 2-Head 3-Neck 4-Back 5-Arm(s) 6-Leg(s) 7-Chest Stomach 8-Internal 9-Entire Body 10-Other		INJURY DEGREE 1-(K) Fatal Injury 2-(A) Suspected Serious Injury 3-(B) Suspected Minor Injury 4-(C) Possible Injury 5-(O) No Apparent Injury		INJURY INFO SOURCE 1-Officer Observation 2-Individual Statement 3-Medical, Paramedical Observation	
EJECTED 1-Not Ejected 2-Ejected Partially 3-Ejected Totally		HELMET USE 1-DOT-Compliant Motorcycle Helmet 2-Other Helmet 3-No Helmet		EXTRICATION 0-Not Extricated or Not Applicable 1-Extricated		AMB CODES - see code sheet											
Person Type	Include Driver, Passengers, Bicyclist, and Pedestrians			Sex (M,F,U)	DOB	Seat Pos Row	Seat Pos	Seat Pos Other	Air Bag Deployed	Ejected	Restraint System	Helmet Use	Injury Degree	Injury Type	Injury Area	Inj Info Source	Amb Code
6	[REDACTED], Benjamin S			M	[REDACTED]	1	1		2	1	3		5			2	1
2	[REDACTED], [REDACTED]			M	[REDACTED]	1	3		2	1	3		5			1	1

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Report Number 24-038515		STATE OF MAINE CRASH REPORT										UNIT PAGE					
Unit ID 2	☐ Hit Run?	VIN [REDACTED]	License Plate [REDACTED]	State ME	(U1) Unit Type 1 - Passenger Car												
☐ No Insurance		NAIC [REDACTED]	Insurance Company Name [REDACTED]			Insurance Policy Number [REDACTED]											
(U2) Vehicle Make 67 - TOYOTA				Vehicle Year 2017		(U3) Vehicle Color 10 - Red											
(U4) Vehicle Configuration				GVWR or GCWR ☐ < 10,000 lbs. ☐ 10,001 - 26,000 lbs. ☐ > than 26,000 lbs.													
Vehicle Has 9 or More Seats ? ☐ Yes ☒ No			HAZMAT Placarded ? ☐ Yes ☒ No			Vehicle Travel Direction ☐ Northbound ☐ Southbound ☐ Eastbound ☒ Westbound ☐ Not on Roadway ☐ Unknown											
(U5) Special Function Vehicle 1 - No Special Function				☐ Exempt Vehicle			Emergency Vehicle Responding to Scene ? ☐ Yes ☐ No										
Extent of Damage ☐ No Damage Observed ☐ Minor Damage ☐ Towed Due to Disabling Damage ☒ Functional Damage				(U6) Most Damaged Area 6 - Rear				(U7) Most Harmful Event 13 - Motor Vehicle in Transport									
Trailer 1 VIN			Trailer 1 Plate		State		Trailer 2 VIN				Trailer 2 Plate		State				
(U8) Pre Crash Actions 11 - Stopped in traffic				(U9) Contributing Circumstances - Vehicle 1 - None													
(U10) Sequence of Events 1 21 - Motor Vehicle In Transport			(U10) Sequence of Events 2			(U10) Sequence of Events 3				(U10) Sequence of Events 4							
Automation System In Vehicle			(U11) Automation Levels In Vehicle				(U11) Automation Levels Engaged										
☒ Driver ☐ Bicycle ☐ Pedestrian ☐ Last Known Operator		License Number [REDACTED]		☒ Active ☐ No License ☐ Permit ☐ Suspended		State ME		License Class C		Endorsements 0		Restrictions B					
DRIVER Last Name Parr, James C			First Name		MI		DRIVER Address [REDACTED]				City Falmouth ME		State Zip 04105				
Citation Number			Pending ☐		Violation 1				Violation 2								
OWNER Last Name (skip if same as Driver) First Name Parr, James C			First Name		MI		OWNER Address [REDACTED]				City Falmouth ME		State Zip 04105				
(D1) Distracted By 1 - Not Distracted				(D2) Condition at Time of Crash 1 - Apparently Normal													
(D3) Driver Actions at Time of Crash 1 1 - No Contributing Action				(D3) Driver Actions at Time of Crash 2													
		Alcohol Test ☐ Breath ☐ Urine		☒ Test Not Given ☐ Test Refused ☐ Blood ☐ Other Chemical Test (Not Field Sobriety or PBT)				☐ Alcohol Test Result Pending		Alcohol BAC Result							
				Drug Test ☒ Test Not Given ☐ Test Refused ☐ Blood ☐ Urine ☐ Other				Drug Test Result ☐ Pending ☐ Positive ☐ Negative									
(D4) Non Motorist Location at Time of Crash				(D5) Non Motorist Action Prior to Crash													
(D6) Non Motorist Action at Time of Crash 1				(D6) Non Motorist Action at Time of Crash 2													
(D7) Pedestrian Maneuvers				(D8) Bicyclist Maneuvers													
PERSON TYPE 1-Driver, 2-Passenger, 3-Pedestrian, 6-Driver/Owner, 7-Bicycle, 8-Passenger/Owner, 24-Last Known Operator 25-Last Known Operator/Owner																	
SEAT ROW 1-Front Row 2-Second Row 3-Third Row 4-Fourth Row 5-Other Row 6-Unknown		SEAT POSITION 1-Left (driver) 2-Middle 3-Right 4-Other 5-Unknown		SEAT POSITION OTHER 1-Sleeper Section of Cab (truck) 2-Other Enclosed Cargo Area 3-Unenclosed Cargo Area 4-Trailing Unit 5-Riding on Motor Vehicle Ext (non-trailing unit) 6-Unknown		AIRBAG DEPLOYED 1-Not Applicable 2-Not Deployed 3-Deployed - Front 4-Deployed - Side 5-Deployed - Other (knee, air belt,...) 6-Deployed - Combination 7-Deployment - Curtain		RESTRAINT SYSTEM 1-Not Applicable 2-None Used - Motor Vehicle Occupant 3-Shoulder and Lap Belt Used 4-Shoulder Belt Only Used 5-Lap Belt Only Used 6-Restraint Used - Other 7-Child Restraint - Forward Facing 8-Child Restraint - Rear Facing 9-Child Restraint - Used Incorrectly 10-Booster Seat 11-Child Restraint - Other		INJURY TYPE 1-Amputation 2-Bleeding 3-Broken Bones 4-Burns 5-Concussion 6-Shock 7-Dizziness 8-Abrasion/Bruises 9-Complaint of Pain 10-Other		INJURY AREA 1-Face 2-Head 3-Neck 4-Back 5-Arm(s) 6-Leg(s) 7-Chest Stomach 8-Internal 9-Entire Body 10-Other		INJURY DEGREE 1-(K) Fatal Injury 2-(A) Suspected Serious Injury 3-(B) Suspected Minor Injury 4-(C) Possible Injury 5-(O) No Apparent Injury			
EJECTED 1-Not Ejected 2-Ejected Partially 3-Ejected Totally		HELMET USE 1-DOT-Compliant Motorcycle Helmet 2-Other Helmet 3-No Helmet		EXTRICATION 0-Not Extricated or Not Applicable 1-Extricated		AMB CODES - see code sheet											
Person Type	Include Driver, Passengers, Bicyclist, and Pedestrians			Sex (M,F,U)	DOB	Seat Pos Row	Seat Pos	Seat Pos Other	Air Bag Deployed	Ejected	Restraint System	Helmet Use	Injury Degree	Injury Type	Injury Area	Inj Info Source	Amb Code
6	Parr, James C			M	[REDACTED]	1	1		2	1	3		4	9	4	2	1

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STATE OF MAINE CRASH REPORT

Report Number

24-038515

Narrative / Diagram Supplemental

On Friday, December 20, 2024 at 18:42:00, Dep Peter Anderson responded to a crash at the intersection of YARMOUTH RD and Int of MAIN ST PORTLAND RD W GRAY RD YARMOUTH R in Gray Maine. At the time of the crash, the weather was snow and the road surface was wet.

Vehicles...

V2 and V1 both stopped at red light. V1 thought V2 had started to proceed and V1 then started to proceed and crashed into rear of V2 causing very minor damage to both vehicles.

Vehicle #1, operated by Benjamin [REDACTED] was westbound starting in traffic and followed too closely.

Vehicle #1 sustained functional damage to the front.

Operator of V1 license was showing suspended (insurance) but believed to be a clerical issue/error.

Vehicle #1 occupant(s) are listed below:

Driver: Benjamin [REDACTED] Injury: (O) No Apparent Injury

Passenger: [REDACTED] Injury: (O) No Apparent Injury

Vehicle #2, operated by James Parr was westbound stopped in traffic. Vehicle #2 sustained functional damage to the rear.

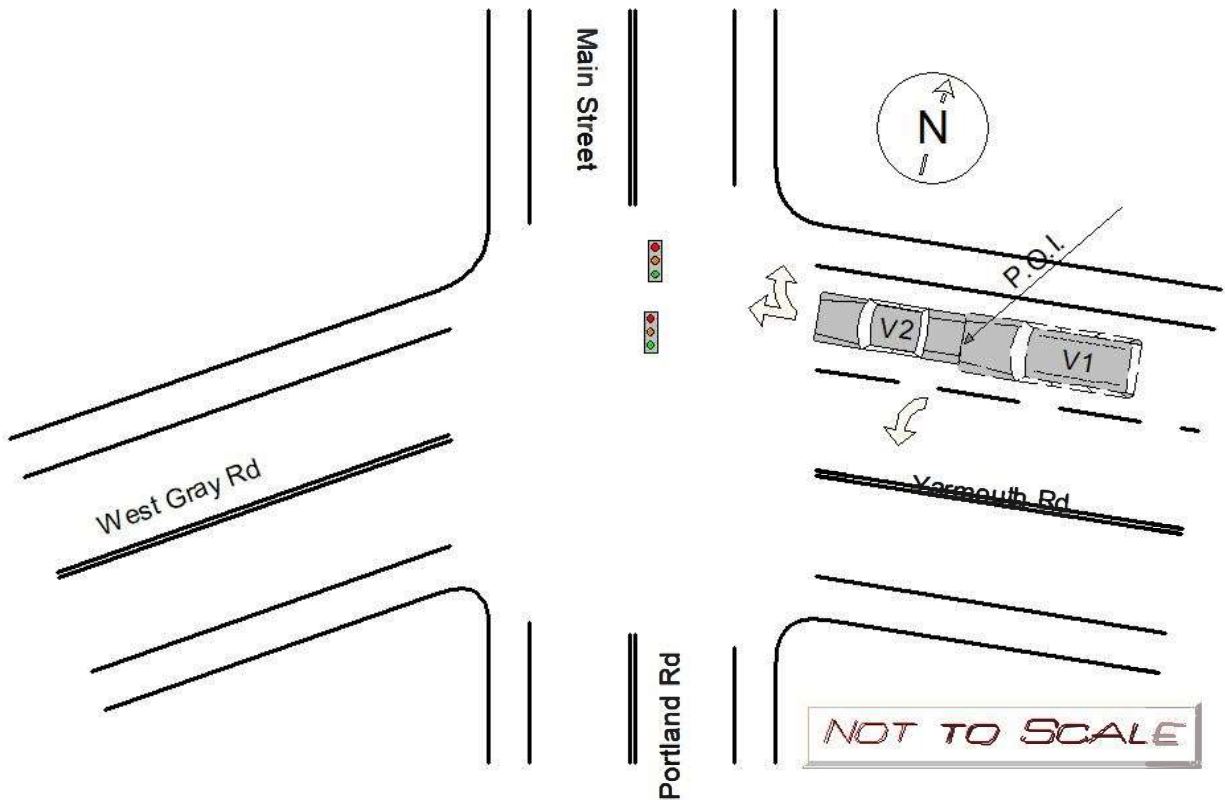
Vehicle #2 occupant(s) are listed below:

Driver: James Parr Injury: (C) Possible Injury

STATE OF MAINE CRASH REPORT

Report Number
24-038515

Narrative / Diagram Supplemental



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☐ Secondary Crash

STATE OF MAINE CRASH REPORT

FIRST PAGE

Reporting Agency ME0030600		Report Number 26000968		Crash Date 1/14/2026		Crash Time 19:54		At Scene Date 1/14/2026		At Scene Time 19:56		
City or Town South Portland				Street or Highway Parking Lot				Nearest Intersecting Street WATERMAN DR				☐ Off Road
Direction FROM Nearest Intersection to Crash Site ☐ At Intersection ☐ North ☐ South ☒ East ☐ West				Distance From Nearest Inter. 0.04 ☐ Feet ☒ Miles		Latitude 43.637260		Longitude -70.255940				
Node 1		Node 2		Measurement Node		Distance to Scene Miles Tenth		Posted Speed Limit Miles Per Hour		☐ Unknown ☐ Not Posted 25 ☒ N/A ☐ Not Posted 45		
(F1) Type of Crash 3 - Head-on / Sideswipe						(F2) Type of Location 17 - Parking Lot						
(F3) Weather Condition 4 - Rain						(F4) Light Condition 4 - Dark - Lighted						
(F5) Road Grade 1 - Level						(F6) Road Surface Condition 2 - Wet						
(F7) Traffic Control Device 13 - None						Traffic Control Device Operational (pre-crash)? ☐ Yes ☐ No ☐ Unk						
(F8) Location of First Harmful Event 8 - Parking Lot / Off Roadway / Location Unknown						Total Damage over Threshold? ☒ Yes ☐ No						
(F9) Contributing Circumstances - Environment 1 2 - Weather Conditions						(F9) Contributing Circumstances - Environment 2						
(F10) Contributing Circumstances - Road 1 1 - None						(F10) Contributing Circumstances - Road 2						
In or Near a Construction, Maintenance, or Utility Work Zone? ☐ Yes ☒ No ☐ Unk						Work Zone Workers Present? ☐ Yes ☐ No ☐ Unk						
(F11) Location of the Crash related to Work Zone						(F12) Type of Work Zone						
Law Enforcement Present at Work Zone? ☐ Officer Present ☐ Law Enforcement Vehicle Only ☐ No						School Bus Related? ☒ Yes, Directly Involved ☐ Yes, Indirectly Involved ☐ No						
NARRATIVE The operator of U1 advised that she was turning the bus around after having stopped to eat at McDonalds. The conditions were rainy, and the inside of the bus had fogged up and she had limited visibility. The driver of U1 turned up the defrost setting to improve visibility. As she began turning, she struck a concrete light post that she did not see. The bus sustained functional damage, and no one aboard was injured.						CRASH DIAGRAM 						
Witness Last Name		First		MI		Address		City		State Zip		
Witness Last Name		First		MI		Address		City		State Zip		
Non Vehicle Property Damage Description Damaged light post.						☐ State ☐ City or Town ☐ Utilities ☒ Private						
Property Owner Name Shaw's				Address 180 Waterman Dr, South Portland ME 04106		City		State		Zip		
Non Vehicle Property Damage Description						☐ State ☐ City or Town ☐ Utilities ☐ Private						
Property Owner Name				Address		City		State		Zip		
Reporting Officer Office Sidney Stewart				Badge# 11554		Report Date 1/14/2026		Approved By Sergeant Michael E Armstrong		Approved Date 1/16/2026		

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Report Number
26000968

STATE OF MAINE CRASH REPORT

UNIT PAGE

Unit ID
1

☐ Hit Run?

VIN
4UZA8RFC0SCVF2434

License Plate
422597

State
ME

(U1) Unit Type
7 - School Bus

☐ No Insurance

NAIC

Insurance Company Name
Alliant Insurance Services

Insurance Policy Number

(U2) Vehicle Make
19 - FREIGHTLINER

Vehicle Year
2025

(U3) Vehicle Color
16 - Yellow

(U4) Vehicle Configuration
4 - Bus (seats for 16 people or more, including driver)

GVWR or GCWR
☐ < 10,000 lbs. ☐ 10,001 - 26,000 lbs. ☒ > than 26,000 lbs.

Vehicle Has 9 or More Seats ?
☒ Yes ☐ No

HAZMAT Placarded ?
☐ Yes ☒ No

Vehicle Travel Direction
☐ Northbound ☐ Southbound
☐ Eastbound ☐ Westbound ☒ Not on Roadway ☐ Unknown

(U5) Special Function Vehicle
3 - Vehicle Used as School Bus

☐ Exempt Vehicle

Emergency Vehicle Responding to Scene ?
☐ Yes ☐ No

Extent of Damage
☐ No Damage Observed ☐ Minor Damage ☒ Towed Due to Disabling Damage ☐ Functional Damage

(U6) Most Damaged Area
9 - Center Driver Side

(U7) Most Harmful Event
32 - Utility Pole / Light Support

Trailer 1 VIN

Trailer 1 Plate

State

Trailer 2 VIN

Trailer 2 Plate

State

(U8) Pre Crash Actions
30 - Other Vehicle Action

(U9) Contributing Circumstances - Vehicle
11 - Windows/Windshield

(U10) Sequence of Events 1
21 - Motor Vehicle In Transport

(U10) Sequence of Events 2
40 - Utility Pole/Light Support

(U10) Sequence of Events 3
50 - No Other Events

(U10) Sequence of Events 4

Automation System In Vehicle
2 - No

(U11) Automation Levels In Vehicle
0 - No Automation

(U11) Automation Levels Engaged
0 - No Automation

☒ Driver ☐ Bicycle ☐ Pedestrian ☐ License Number
0141133

☒ Active ☐ No License ☐ Permit ☐ Suspended

State
ME

License Class
B

Endorsements
P,S

Restrictions
0

DRIVER Last Name
First Name
MI

DRIVER Address
City
State
Zip

Citation Number
Pending

Violation 1

Violation 2

OWNER Last Name (skip if same as Driver) First Name
MSAD #35

OWNER Address
City
State
Zip

(D1a) Distracted By - Action
0 - Not Distracted

(D1b) Not Applicable (Not Distracted)

(D2) Condition at Time of Crash
1 - Apparently Normal

(D3) Driver Actions at Time of Crash 1
19 - Other Contributing Action

(D3) Driver Actions at Time of Crash 2

☐ Law Enforcement Suspects Alcohol Use

Alcohol Test
☐ Breath ☐ Urine ☒ Test Not Given ☐ Test Refused ☐ Blood

☐ Other Chemical Test (Not Field Sobriety or PBT)

Alcohol Test Result Pending

Alcohol BAC Result

☐ Law Enforcement Suspects Marijuana Use

Law Enforcement Suspects Drug Use

Drug Test
☒ Test Not Given ☐ Test Refused ☐ Blood ☐ Urine ☐ Other

Drug Test Result
☐ Pending ☐ Positive ☐ Negative

(D4) Non Motorist Location at Time of Crash

(D5) Non Motorist Action Prior to Crash

(D6) Non Motorist Action at Time of Crash 1

(D6) Non Motorist Action at Time of Crash 2

(D7) Pedestrian Maneuvers

(D8) Bicyclist Maneuvers

PERSON TYPE 1-Driver, 2-Passenger, 3-Pedestrian, 6-Driver/Owner, 7-Bicycle, 8-Passenger/Owner, 24-Last Known Operator 25-Last Known Operator/Owner

SEAT ROW
1-Front Row
2-Second Row
3-Third Row
4-Fourth Row
5-Other Row
6-Unknown

SEAT POSITION
1-Left (driver)
2-Middle
3-Right
4-Other
5-Unknown

SEAT POSITION OTHER
1-Sleeper Section of Cab (truck)
2-Other Enclosed Cargo Area
3- Unenclosed Cargo Area
4-Trailing Unit
5-Riding on Motor Vehicle Ext (non-trailing unit)
6- Unknown

AIRBAG DEPLOYED
1-Not Applicable
2-Not Deployed
3-Deployed - Front
4-Deployed - Side
5-Deployed - Other (knee, air belt,...)
6-Deployed - Combination
7-Deployment - Curtain

RESTRAINT SYSTEM
1-Not Applicable
2-None Used - Motor Vehicle Occupant
3-Shoulder and Lap Belt Used
4-Shoulder Belt Only Used
5-Lap Belt Only Used
6-Restraint Used - Other
7-Child Restraint - Forward Facing
8-Child Restraint - Rear Facing
9-Child Restraint - Used Incorrectly
10-Booster Seat
11-Child Restraint - Other

INJURY TYPE
1-Amputation
2-Bleeding
3-Broken Bones
4-Burns
5-Concussion
6-Shock
7-Dizziness
8-Abrasion/Bruises
9-Complaint of Pain
10-Other

INJURY AREA
1-Face
2-Head
3-Neck
4-Back
5-Arm(s)
6-Leg(s)
7-Chest/Stomach
8-Internal
9-Entire Body
10-Other

INJURY DEGREE
1-(K) Fatal Injury
2-(A) Suspected Serious Injury
3-(B) Suspected Minor Injury
4-(C) Possible Injury
5-(O) No Apparent Injury

INJURY INFO SOURCE
1-Officer Observation
2-Individual Statement
3-Medical, Paramedical Observation

AMB CODES - see code sheet

Person Type
Last Name, First Name, MI

Extrication

Sex (M,F,U)

DOB

Seat Pos Row

Seat Pos

Seat Pos Other

Air Bag Deployed

Ejected

Restraint System

Helmet Use

Injury Degree

Injury Type

Injury Area

Inj Info Source

Amb Code

1

0

M

64

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Report Number 26000968		STATE OF MAINE CRASH REPORT										(cont.)					
Unit ID 1	☐ Hit Run?	VIN	License Plate	State	(U1) Unit Type												
☐ No Insurance		NAIC	Insurance Company Name				Insurance Policy Number										
(U2) Vehicle Make				Vehicle Year		(U3) Vehicle Color											
(U4) Vehicle Configuration				GVWR or GCWR ☐ < 10,000 lbs. ☐ 10,001 - 26,000 lbs. ☐ > than 26,000 lbs.													
Vehicle Has 9 or More Seats ? ☐ Yes ☐ No		HAZMAT Placarded ? ☐ Yes ☐ No		Vehicle Travel Direction ☐ Northbound ☐ Southbound ☐ Eastbound ☐ Westbound ☐ Not on Roadway ☐ Unknown													
(U5) Special Function Vehicle ☐ Exempt Vehicle				Emergency Vehicle Responding to Scene ? ☐ Yes ☐ No													
Extent of Damage ☐ No Damage Observed ☐ Minor Damage ☐ Towed Due to Disabling Damage ☐ Functional Damage				(U6) Most Damaged Area			(U7) Most Harmful Event										
Trailer 1 VIN		Trailer 1 Plate		State		Trailer 2 VIN		Trailer 2 Plate		State							
(U8) Pre Crash Actions				(U9) Contributing Circumstances - Vehicle													
(U10) Sequence of Events 1		(U10) Sequence of Events 2		(U10) Sequence of Events 3			(U10) Sequence of Events 4										
Automation System In Vehicle		(U11) Automation Levels In Vehicle				(U11) Automation Levels Engaged											
☐ Driver ☐ Bicycle ☐ Pedestrian ☐ Last Known Operator		License Number		☐ Active ☐ No License ☐ Permit ☐ Suspended		State		License Class		Endorsements Restrictions							
DRIVER Last Name		First Name		MI		DRIVER Address		City		State Zip							
Citation Number		Pending				Violation 1		Violation 2									
OWNER Last Name (skip if same as Driver)		First Name		MI		OWNER Address		City		State Zip							
(D1) Driver Distraction				(D2) Condition at Time of Crash													
(D3) Driver Actions at Time of Crash 1				(D3) Driver Actions at Time of Crash 2													
☐ Law Enforcement Suspects Alcohol Use		Alcohol Test ☐ Breath ☐ Urine ☐ Other		☐ Test Not Given ☐ Test Refused ☐ Blood		☐ Alcohol Test Result Pending		Alcohol BAC Result									
☐ Law Enforcement Suspects Marijuana Use		Law Enforcement Suspects Drug Use		Drug Test ☐ Test Not Given ☐ Test Refused ☐ Blood ☐ Urine ☐ Other		Drug Test Result ☐ Pending ☐ Positive ☐ Negative											
(D4) Non Motorist Location at Time of Crash				(D5) Non Motorist Action Prior to Crash													
(D6) Non Motorist Action at Time of Crash 1				(D6) Non Motorist Action at Time of Crash 2													
(D7) Pedestrian Maneuvers				(D8) Bicyclist Maneuvers													
PERSON TYPE 1-Driver, 2-Passenger, 3-Pedestrian, 6-Driver/Owner, 7-Bicycle, 8-Passenger/Owner, 24-Last Known Operator 25-Last Known Operator/Owner																	
SEAT ROW 1-Front Row 2-Second Row 3-Third Row 4-Fourth Row 5-Other Row 6-Unknown		SEAT POSITION 1-Left (driver) 2-Middle 3-Right 4-Other 5-Unknown		SEAT POSITION OTHER 1-Sleeper Section of Cab (truck) 2-Other Enclosed Cargo Area 3-Unenclosed Cargo Area 4-Trailing Unit 5-Riding on Motor Vehicle Ext (non-trailing unit) 6-Unknown		AIRBAG DEPLOYED 1-Not Applicable 2-Not Deployed 3-Deployed - Front 4-Deployed - Side 5-Deployed - Other (knee, air belt,...) 6-Deployed - Combination 7-Deployment - Curtain		RESTRAINT SYSTEM 1-Not Applicable 2-None Used - Motor Vehicle Occupant 3-Shoulder and Lap Belt Used 4-Shoulder Belt Only Used 5-Lap Belt Only Used 6-Restraint Used - Other 7-Child Restraint - Forward Facing 8-Child Restraint - Rear Facing 9-Child Restraint - Used Incorrectly 10-Booster Seat 11-Child Restraint - Other		INJURY TYPE 1-Amputation 2-Bleeding 3-Broken Bones 4-Burns 5-Concussion 6-Shock 7-Dizziness 8-Abrasion/Bruises 9-Complaint of Pain 10-Other		INJURY AREA 1-Face 2-Head 3-Neck 4-Back 5-Arm(s) 6-Leg(s) 7-Chest/Stomach 8-Internal 9-Entire Body 10-Other		INJURY DEGREE 1-(K) Fatal Injury 2-(A) Suspected Serious Injury 3-(B) Suspected Minor Injury 4-(C) Possible Injury 5-(D) No Apparent Injury		INJURY INFO SOURCE 1-Officer Observation 2-Individual Statement 3-Medical, Paramedical Observation	
EJECTED 1-Not Ejected 2-Ejected Partially 3-Ejected Totally		HELMET USE 1-DOT-Compliant Motorcycle Helmet 2-Other Helmet 3-No Helmet		EXTRICATION 0-Not Extricated or Not Applicable 1-Extricated		AMB CODES - see code sheet											
Person Type	Include Driver, Passengers, Bicyclist, and Pedestrians			Sex (M,F,U)	DOB	Seat Pos Row	Seat Pos	Seat Pos Other	Air Bag Deployed	Ejected	Restraint System	Helmet Use	Injury Degree	Injury Type	Injury Area	Inj Info Source	Amb Code
2				F	11	5	5		2	1	5		5			2	1
2				F	09	5	5		1	1	5		5			2	1
2				M	09	5	5		1	1	5		5			2	1
2				M	10	5	5		1	1	5		5			2	1
2				F	08	5	5		1	1	5		5			2	1

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UNIT INFORMATION

Unit ID 1	☐ Hit Run?	VIN	License Plate	State	(U1) Unit Type
☐ No Insurance	NAIC	Insurance Company Name		Insurance Policy Number	
(U2) Vehicle Make			Vehicle Year	(U3) Vehicle Color	
(U4) Vehicle Configuration			GVWR or GCWR ☐ < 10,000 lbs. ☐ 10,001 - 26,000 lbs. ☐ > than 26,000 lbs.		
Vehicle Has 9 or More Seats ? ☐ Yes ☐ No		HAZMAT Placarded ? ☐ Yes ☐ No		Vehicle Travel Direction ☐ Northbound ☐ Southbound ☐ Eastbound ☐ Westbound ☐ Not on Roadway ☐ Unknown	
(U5) Special Function Vehicle ☐ Exempt Vehicle			Emergency Vehicle Responding to Scene ? ☐ Yes ☐ No		
Extent of Damage ☐ No Damage Observed ☐ Minor Damage ☐ Functional Damage			(U6) Most Damaged Area		(U7) Most Harmful Event
Trailer 1 VIN		Trailer 1 Plate	State	Trailer 2 VIN	Trailer 2 Plate State
(U8) Pre Crash Actions			(U9) Contributing Circumstances - Vehicle		
(U10) Sequence of Events 1		(U10) Sequence of Events 2		(U10) Sequence of Events 3	(U10) Sequence of Events 4
Automation System In Vehicle		(U11) Automation Levels In Vehicle		(U11) Automation Levels Engaged	

DRIVER INFORMATION

☐ Driver ☐ Bicycle ☐ Pedestrian ☐ License Number ☐ Active ☐ No License ☐ Permit ☐ State ☐ License Class ☐ Endorsements ☐ Restrictions ☐ Last Known Operator ☐ Suspended	DRIVER Last Name	First Name	MI	DRIVER Address	City	State	Zip
Citation Number Pending ☐	Violation 1			Violation 2			
OWNER Last Name (skip if same as Driver)	First Name	MI	OWNER Address	City	State	Zip	
(D1) Driver Distraction				(D2) Condition at Time of Crash			
(D3) Driver Actions at Time of Crash 1				(D3) Driver Actions at Time of Crash 2			
☐ Law Enforcement Suspects Alcohol Use	Alcohol Test ☐ Breath ☐ Urine ☐ Other Chemical Test (Not Field Sobriety or PBT)	☐ Test Not Given ☐ Test Refused	☐ Blood	☐ Alcohol Test Result Pending	Alcohol BAC Result		
☐ Law Enforcement Suspects Marijuana Use	☐ Law Enforcement Suspects Drug Use	Drug Test ☐ Test Not Given ☐ Test Refused	☐ Blood ☐ Urine ☐ Other	Drug Test Result ☐ Pending ☐ Negative			
(D4) Non Motorist Location at Time of Crash				(D5) Non Motorist Action Prior to Crash			
(D6) Non Motorist Action at Time of Crash 1				(D6) Non Motorist Action at Time of Crash 2			
(D7) Pedestrian Maneuvers				(D8) Bicyclist Maneuvers			

OCCUPANT INFORMATION

PERSON TYPE 1-Driver, 2-Passenger, 3-Pedestrian, 6-Driver/Owner, 7-Bicycle, 8-Passenger/Owner, 24-Last Known Operator 25-Last Known Operator/Owner																
SEAT ROW	SEAT POSITION	SEAT POSITION OTHER	AIRBAG DEPLOYED	RESTRAINT SYSTEM	INJURY TYPE	INJURY AREA	INJURY DEGREE									
1-Front Row	1-Left (driver)	1-Sleeper Section of Cab (truck)	1-Not Applicable	1-Not Applicable	1-Amputation	1-Face	1-(K) Fatal Injury									
2-Second Row	2-Middle	2-Other Enclosed Cargo Area	2-Not Deployed	2-None Used - Motor Vehicle Occupant	2-Bleeding	2-Head	2-(A) Suspected Serious Injury									
3-Third Row	3-Right	3- Unenclosed Cargo Area	3-Deployed - Front	3-Shoulder and Lap Belt Used	3-Broken Bones	3-Neck	3-(B) Suspected Minor Injury									
4-Fourth Row	4-Other	4-Trailing Unit	4-Deployed - Side	4-Shoulder Belt Only Used	4-Burns	4-Back	4-(C) Possible Injury									
5-Other Row	5-Unknown	5-Riding on Motor Vehicle Ext (non-trailing unit)	5-Deployed - Other (knee, air belt,...)	5-Lap Belt Only Used	5-Concussion	5-Arm(s)	5-(O) No Apparent Injury									
6-Unknown	6-Unknown	6-Unknown	6-Deployed - Combination	6-Restraint Used - Other	6-Shock	6-Leg(s)										
EJECTED		HELMET USE		EXTRICATION		INJURY INFO SOURCE										
1-Not Ejected		1-DOT-Compliant Motorcycle Helmet		0-Not Extricated or Not Applicable		1-Officer Observation										
2-Ejected Partially		2-Other Helmet		1-Extricated		2-Individual Statement										
3-Ejected Totally		3-No Helmet				3-Medical, Paramedical Observation										
Person Type	Include Driver, Passengers, Bicyclist, and Pedestrians		Sex (M,F,U)	DOB	Seat Pos Row	Seat Pos	Seat Pos Other	Air Bag Deployed	Ejected	Restraint System	Helmet Use	Injury Degree	Injury Type	Injury Area	Inj Info Source	Amb Code
2	[REDACTED]		M	[REDACTED]	10	5	5	1	1	5		5			2	1
2	[REDACTED]		F	[REDACTED]	07	5	5	1	1	5		5			2	1
2	[REDACTED]		M	[REDACTED]	10	5	5	1	1	5		5			2	1
2	[REDACTED]		M	[REDACTED]	08	5	5	1	1	5		5			2	1
2	[REDACTED]		M	[REDACTED]	07	5	5	1	1	5		5			2	1

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Report Number
26000968

STATE OF MAINE CRASH REPORT

(cont.)

Unit ID
1

☐ Hit Run?

VIN

License Plate

State

(U1) Unit Type

☐ No Insurance

NAIC

Insurance Company Name

Insurance Policy Number

(U2) Vehicle Make

Vehicle Year

(U3) Vehicle Color

(U4) Vehicle Configuration

GVWR or GCWR
☐ < 10,000 lbs. ☐ 10,001 - 26,000 lbs. ☐ > than 26,000 lbs.

Vehicle Has 9 or More Seats ?
☐ Yes ☐ No

HAZMAT Placarded ?
☐ Yes ☐ No

Vehicle Travel Direction
☐ Northbound ☐ Southbound
☐ Eastbound ☐ Westbound ☐ Not on Roadway ☐ Unknown

(U5) Special Function Vehicle
☐ Exempt Vehicle

Emergency Vehicle Responding to Scene ?
☐ Yes ☐ No

Extent of Damage
☐ No Damage Observed ☐ Minor Damage ☐ Towed Due to Disabling Damage ☐ Functional Damage

(U6) Most Damaged Area

(U7) Most Harmful Event

Trailer 1 VIN

Trailer 1 Plate

State

Trailer 2 VIN

Trailer 2 Plate

State

(U8) Pre Crash Actions

(U9) Contributing Circumstances - Vehicle

(U10) Sequence of Events 1

(U10) Sequence of Events 2

(U10) Sequence of Events 3

(U10) Sequence of Events 4

Automation System In Vehicle

(U11) Automation Levels In Vehicle

(U11) Automation Levels Engaged

☐ Driver ☐ Bicycle ☐ Pedestrian ☐ License Number ☐ Active ☐ No License ☐ Permit ☐ State ☐ License Class ☐ Endorsements ☐ Restrictions
☐ Last Known Operator ☐ Suspended

DRIVER Last Name

First Name

MI

DRIVER Address

City

State

Zip

Citation Number

Pending

Violation 1

Violation 2

OWNER Last Name (skip if same as Driver)

First Name

MI

OWNER Address

City

State

Zip

(D1) Driver Distraction

(D2) Condition at Time of Crash

(D3) Driver Actions at Time of Crash 1

(D3) Driver Actions at Time of Crash 2

☐ Law Enforcement Suspects ☐ Alcohol Test ☐ Test Not Given ☐ Test Refused ☐ Blood ☐ Alcohol Test Result Pending ☐ Alcohol BAC Result
☐ Alcohol Use ☐ Breath ☐ Urine ☐ Other Chemical Test (Not Field Sobriety or PBT)

☐ Law Enforcement Suspects ☐ Marijuana Use ☐ Law Enforcement Suspects ☐ Drug Use ☐ Drug Test ☐ Test Not Given ☐ Test Refused ☐ Drug Test Result ☐ Positive ☐ Pending ☐ Negative
☐ Blood ☐ Urine ☐ Other

(D4) Non Motorist Location at Time of Crash

(D5) Non Motorist Action Prior to Crash

(D6) Non Motorist Action at Time of Crash 1

(D6) Non Motorist Action at Time of Crash 2

(D7) Pedestrian Maneuvers

(D8) Bicyclist Maneuvers

PERSON TYPE 1-Driver, 2-Passenger, 3-Pedestrian, 6-Driver/Owner, 7-Bicycle, 8-Passenger/Owner, 24-Last Known Operator 25-Last Known Operator/Owner

SEAT ROW
1-Front Row
2-Second Row
3-Third Row
4-Fourth Row
5-Other Row
6-Unknown

SEAT POSITION
1-Left (driver)
2-Middle
3-Right
4-Other
5-Unknown
6-Unknown

SEAT POSITION OTHER
1-Sleeper Section of Cab (truck)
2-Other Enclosed Cargo Area
3-Unenclosed Cargo Area
4-Trailing Unit
5-Riding on Motor Vehicle Ext (non-trailing unit)
6-Unknown

AIRBAG DEPLOYED
1-Not Applicable
2-Not Deployed
3-Deployed - Front
4-Deployed - Side
5-Deployed - Other (knee, air belt,...)
6-Deployed - Combination
7-Deployment - Curtain

RESTRAINT SYSTEM
1-Not Applicable
2-None Used - Motor Vehicle Occupant
3-Shoulder and Lap Belt Used
4-Shoulder Belt Only Used
5-Lap Belt Only Used
6-Restraint Used - Other
7-Child Restraint - Forward Facing
8-Child Restraint - Rear Facing
9-Child Restraint - Used Incorrectly
10-Booster Seat
11-Child Restraint - Other

INJURY TYPE
1-Amputation
2-Bleeding
3-Broken Bones
4-Burns
5-Concussion
6-Shock
7-Dizziness
8-Abrasion/Bruises
9-Complaint of Pain
10-Other

INJURY AREA
1-Face
2-Head
3-Neck
4-Back
5-Arm(s)
6-Leg(s)
7-Chest Stomach
8-Internal
9-Entire Body
10-Other

INJURY DEGREE
1-(K) Fatal Injury
2-(A) Suspected Serious Injury
3-(B) Suspected Minor Injury
4-(C) Possible Injury
5-(O) No Apparent Injury

INJURY INFO SOURCE
1-Officer Observation
2-Individual Statement
3-Medical, Paramedical Observation

AMB CODES - see code sheet

Person Type

Include Driver, Passengers, Bicyclist, and Pedestrians

Sex (M,F,U)

DOB

Seat Pos Row

Seat Pos

Seat Pos Other

Air Bag Deployed

Ejected

Restraint System

Helmet Use

Injury Degree

Injury Type

Injury Area

Info Source

Amb Code

2

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M

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Maine Department of Public Safety

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Report Number 26000968		STATE OF MAINE CRASH REPORT										(cont.)					
Unit ID 1	☐ Hit Run?	VIN	License Plate	State	(U1) Unit Type												
☐ No Insurance		NAIC	Insurance Company Name					Insurance Policy Number									
(U2) Vehicle Make					Vehicle Year		(U3) Vehicle Color										
(U4) Vehicle Configuration					GVWR or GCWR ☐ < 10,000 lbs. ☐ 10,001 - 26,000 lbs. ☐ > than 26,000 lbs.												
Vehicle Has 9 or More Seats ? ☐ Yes ☐ No			HAZMAT Placarded ? ☐ Yes ☐ No		Vehicle Travel Direction ☐ Northbound ☐ Southbound ☐ Eastbound ☐ Westbound ☐ Not on Roadway ☐ Unknown												
(U5) Special Function Vehicle ☐ Exempt Vehicle					Emergency Vehicle Responding to Scene ? ☐ Yes ☐ No												
Extent of Damage ☐ No Damage Observed ☐ Minor Damage ☐ Towed Due to Disabling Damage ☐ Functional Damage					(U6) Most Damaged Area			(U7) Most Harmful Event									
Trailer 1 VIN			Trailer 1 Plate		State		Trailer 2 VIN			Trailer 2 Plate		State					
(U8) Pre Crash Actions					(U9) Contributing Circumstances - Vehicle												
(U10) Sequence of Events 1			(U10) Sequence of Events 2		(U10) Sequence of Events 3			(U10) Sequence of Events 4									
Automation System In Vehicle			(U11) Automation Levels In Vehicle				(U11) Automation Levels Engaged										
☐ Driver ☐ Bicycle ☐ Pedestrian ☐ License Number		☐ Active ☐ No License ☐ Permit		State		License Class		Endorsements		Restrictions							
☐ Last Known Operator		☐ Suspended															
DRIVER Last Name			First Name		MI		DRIVER Address			City		State Zip					
Citation Number			Pending ☐		Violation 1			Violation 2									
OWNER Last Name (skip if same as Driver)			First Name		MI		OWNER Address			City		State Zip					
(D1) Driver Distraction					(D2) Condition at Time of Crash												
(D3) Driver Actions at Time of Crash 1					(D3) Driver Actions at Time of Crash 2												
☐ Law Enforcement Suspects		Alcohol Test		☐ Test Not Given ☐ Test Refused ☐ Blood		☐ Alcohol Test Result Pending		Alcohol BAC Result									
☐ Alcohol Use		☐ Breath ☐ Urine ☐ Other		Chemical Test (Not Field Sobriety or FBT)													
☐ Law Enforcement Suspects		☐ Law Enforcement Suspects		Drug Test		☐ Test Not Given ☐ Test Refused		Drug Test Result		☐ Positive							
☐ Marijuana Use		☐ Drug Use		☐ Blood ☐ Urine ☐ Other		☐ Pending		☐ Negative									
(D4) Non Motorist Location at Time of Crash					(D5) Non Motorist Action Prior to Crash												
(D6) Non Motorist Action at Time of Crash 1					(D6) Non Motorist Action at Time of Crash 2												
(D7) Pedestrian Maneuvers					(D8) Bicyclist Maneuvers												
PERSON TYPE 1-Driver, 2-Passenger, 3-Pedestrian, 6-Driver/Owner, 7-Bicycle, 8-Passenger/Owner, 24-Last Known Operator 25-Last Known Operator/Owner																	
SEAT ROW		SEAT POSITION		SEAT POSITION OTHER		AIRBAG DEPLOYED		RESTRAINT SYSTEM		INJURY TYPE		INJURY AREA		INJURY DEGREE			
1-Front Row		1-Left (Driver)		1-Sleeper Section of Cab (truck)		1-Not Applicable		1-Not Applicable		1-Amputation		1-Face		1-(K) Fatal Injury			
2-Second Row		2-Middle		2-Other Enclosed Cargo Area		2-Not Deployed		2-None Used - Motor Vehicle Occupant		2-Bleeding		2-Head		2-(A) Suspected Serious Injury			
3-Third Row		3-Right		3-Unenclosed Cargo Area		3-Deployed - Front		3-Shoulder and Lap Belt Used		3-Broken Bones		3-Neck		3-(B) Suspected Minor Injury			
4-Fourth Row		4-Other		4-Trailing Unit		4-Deployed - Side		4-Shoulder Belt Only Used		4-Burns		4-Back		4-(C) Possible Injury			
5-Other Row		5-Unknown		5-Riding on Motor Vehicle Ext (non-trailing unit)		5-Deployed - Other (knee, air belt,...)		5-Lap Belt Only Used		5-Concussion		5-Arm(s)		5-(C) No Apparent Injury			
6-Unknown				6-Unknown		6-Deployment - Curtain		6-Shoulder and Lap Belt Used		6-Shock		6-Leg(s)					
EJECTED		HELMET USE		EXTRICATION		7-Deployment - Curtain		7-Child Restraint - Forward Facing		7-Dizziness		7-Chest Stomach		INJURY INFO SOURCE			
1-Not Ejected		1-DOT-Compliant Motorcycle Helmet		0-Not Extricated or Not Applicable		1-Extricated		8-Child Restraint - Rear Facing		8-Abrasion/Bruises		8-Internal		1-Officer Observation			
2-Ejected Partially		2-Other Helmet						9-Child Restraint - Used Incorrectly		9-Complaint of Pain		9-Entire Body		2-Individual Statement			
3-Ejected Totally		3-No Helmet						10-Booster Seat		10-Other		10-Other		3-Medical, Paramedical Observation			
														AMB CODES - see code sheet			
Person Type	Include Driver, Passengers, Bicyclist, and Pedestrians			Sex (M,F,U)	DOB	Seat Pos Row	Seat Pos	Seat Pos Other	Air Bag Deployed	Ejected	Restraint System	Helmet Use	Injury Degree	Injury Type	Injury Area	Inj Info Source	Amb Code
2	[REDACTED]			0	F	09	5	5	1	1	5		5			2	1
2	[REDACTED]			0	M	09	5	5	1	1	5		5			2	1
2	[REDACTED]			0	F	07	5	5	1	1	5		5			2	1
2	[REDACTED]			0	F	10	5	5	1	1	5		5			2	1
2	[REDACTED]			0	M	10	5	5	2	1	5		5			2	1

UNIT INFORMATION
DRIVER INFORMATION
OCCUPANT INFORMATION

Report Number
26000968

STATE OF MAINE CRASH REPORT

(cont.)

Unit ID
1

☐ Hit Run?

VIN

License Plate

State

(U1) Unit Type

☐ No Insurance

NAIC

Insurance Company Name

Insurance Policy Number

(U2) Vehicle Make

Vehicle Year

(U3) Vehicle Color

(U4) Vehicle Configuration

GVWR or GCWR
☐ < 10,000 lbs. ☐ 10,001 - 26,000 lbs. ☐ > than 26,000 lbs.

Vehicle Has 9 or More Seats ?
☐ Yes ☐ No

HAZMAT Placarded ?
☐ Yes ☐ No

Vehicle Travel Direction
☐ Northbound ☐ Southbound
☐ Eastbound ☐ Westbound ☐ Not on Roadway ☐ Unknown

(U5) Special Function Vehicle
☐ Exempt Vehicle

Emergency Vehicle Responding to Scene ?
☐ Yes ☐ No

Extent of Damage
☐ No Damage Observed ☐ Minor Damage ☐ Functional Damage

(U6) Most Damaged Area

(U7) Most Harmful Event

Trailer 1 VIN

Trailer 1 Plate

State

Trailer 2 VIN

Trailer 2 Plate

State

(U8) Pre Crash Actions

(U9) Contributing Circumstances - Vehicle

(U10) Sequence of Events 1

(U10) Sequence of Events 2

(U10) Sequence of Events 3

(U10) Sequence of Events 4

Automation System In Vehicle

(U11) Automation Levels In Vehicle

(U11) Automation Levels Engaged

☐ Driver ☐ Bicycle ☐ Pedestrian ☐ License Number ☐ Active ☐ No License ☐ Permit ☐ State ☐ License Class ☐ Endorsements ☐ Restrictions
☐ Last Known Operator ☐ Suspended

DRIVER Last Name

First Name

MI

DRIVER Address

City

State

Zip

Citation Number Pending ☐

Violation 1

Violation 2

OWNER Last Name (skip if same as Driver)

First Name

MI

OWNER Address

City

State

Zip

(D1) Driver Distraction

(D2) Condition at Time of Crash

(D3) Driver Actions at Time of Crash 1

(D3) Driver Actions at Time of Crash 2

☐ Law Enforcement Suspects ☐ Alcohol Test ☐ Test Not Given ☐ Test Refused ☐ Blood ☐ Alcohol Test Result Pending ☐ Alcohol BAC Result
☐ Alcohol Use ☐ Breath ☐ Urine ☐ Other Chemical Test (Not Field Sobriety or PBT)

☐ Law Enforcement Suspects ☐ Marijuana Use ☐ Law Enforcement Suspects ☐ Drug Use ☐ Drug Test ☐ Test Not Given ☐ Test Refused ☐ Drug Test Result ☐ Positive ☐ Pending ☐ Negative
☐ Blood ☐ Urine ☐ Other

(D4) Non Motorist Location at Time of Crash

(D5) Non Motorist Action Prior to Crash

(D6) Non Motorist Action at Time of Crash 1

(D6) Non Motorist Action at Time of Crash 2

(D7) Pedestrian Maneuvers

(D8) Bicyclist Maneuvers

PERSON TYPE 1-Driver, 2-Passenger, 3-Pedestrian, 6-Driver/Owner, 7-Bicycle, 8-Passenger/Owner, 24-Last Known Operator 25-Last Known Operator/Owner

SEAT ROW
1-Front Row
2-Second Row
3-Third Row
4-Fourth Row
5-Other Row
6-Unknown

SEAT POSITION
1-Left (driver)
2-Middle
3-Right
4-Other
5-Unknown

SEAT POSITION OTHER
1-Sleeper Section of Cab (truck)
2-Other Enclosed Cargo Area
3-Unenclosed Cargo Area
4-Trailing Unit
5-Riding on Motor Vehicle Ext (non-trailing unit)
6-Unknown

AIRBAG DEPLOYED
1-Not Applicable
2-Not Deployed
3-Deployed - Front
4-Deployed - Side
5-Deployed - Other (knee, air belt,...)
6-Deployed - Combination
7-Deployment - Curtain

RESTRAINT SYSTEM
1-Not Applicable
2-None Used - Motor Vehicle Occupant
3-Shoulder and Lap Belt Used
4-Shoulder Belt Only Used
5-Lap Belt Only Used
6-Restraint Used - Other
7-Child Restraint - Forward Facing
8-Child Restraint - Rear Facing
9-Child Restraint - Used Incorrectly
10-Booster Seat
11-Child Restraint - Other

INJURY TYPE
1-Amputation
2-Bleeding
3-Broken Bones
4-Burns
5-Concussion
6-Shock
7-Dizziness
8-Abrasion/Bruises
9-Complaint of Pain
10-Other

INJURY AREA
1-Face
2-Head
3-Neck
4-Back
5-Arm(s)
6-Leg(s)
7-Chest Stomach
8-Internal
9-Entire Body
10-Other

INJURY DEGREE
1-(K) Fatal Injury
2-(A) Suspected Serious Injury
3-(B) Suspected Minor Injury
4-(C) Possible Injury
5-(D) No Apparent Injury

INJURY INFO SOURCE
1-Officer Observation
2-Individual Statement
3-Medical, Paramedical Observation

EJECTED
1-Not Ejected
2-Ejected Partially
3-Ejected Totally

HELMET USE
1-DOT-Compliant Motorcycle Helmet
2-Other Helmet
3-No Helmet

EXTRICATION
0-Not Extricated or Not Applicable
1-Extricated

AMB CODES - see code sheet

Person Type

Include Driver, Passengers, Bicyclist, and Pedestrians

Sex (M,F,U)

DOB

Seat Pos Row

Seat Pos

Seat Pos Other

Air Bag Deployed

Ejected

Restraint System

Helmet Use

Injury Degree

Injury Type

Injury Area

Inj Info Source

Amb Code

2

08

5

5

1

1

5

5

2

1

2

07

5

5

1

1

5

5

2

1

Maine Department of Public Safety

Page 2E

Form 13-20A Revised October 2024

STATE OF MAINE CRASH REPORT

Report Number 26000968		Commercial Vehicle Supplemental		No Carrier Identification Numbers ☒																											
Unit ID 1	USDOT Number	MC/MX Number	State Number	MCSAP Number																											
☐ Interstate Carrier ☐ Intrastate Carrier ☐ Not in Commerce-Government ☒ Not in Commerce-Other Trucks (Over 10,000 lbs. GVWR/GCWR)																															
Carrier Name MSAD #35			Carrier Phone																												
Address 180 Depot Rd, Eliot ME 03903		City		State Zip																											
☐ Oversize Permit Weight ☐ Oversize Permit Length ☐ Oversize Permit Height ☐ Oversize Permit Width																															
2 Cargo Body Type (enter one code from below)		☐ Unloaded	☐ Partially Loaded	☒ Loaded																											
1 Bus (9-15 Seats, Including Driver)  		6 Dump  		11 Pole 																											
2 Bus (16 or More Seats, Including Driver)   		7 Concrete Mixer  		12 Log  																											
3 Van/Enclosed Box   		8 Auto Transporter  		13 Intermodal Chassis  																											
4 Cargo Tank  		9 Garbage/Refuse  		14 Vehicle Towing Motor Vehicle  																											
5 Flat Bed  		10 Grain, Chips, Gravel  		15 No Cargo Body  																											
98 Other Cargo Body (not listed above)																															
M Commodity Code (enter one code from below) <table style="width: 100%; font-size: small;"> <tr> <td>A General Freight</td> <td>J Fresh Produce</td> <td>S Garbage, Refuse, Trash</td> </tr> <tr> <td>B Household Goods</td> <td>K Liquids / Gases in Cargo Tank</td> <td>T U.S. Mail</td> </tr> <tr> <td>C Metal: Sheets, Coils, Rolls</td> <td>L Intermodal</td> <td>U Chemicals</td> </tr> <tr> <td>D Motor Vehicles</td> <td>M Passengers</td> <td>V Commodities, Dry Bulk</td> </tr> <tr> <td>E DriveAway / TowAway</td> <td>N Oil Field Equipment</td> <td>W Refrigerated Foods</td> </tr> <tr> <td>F Forest Products</td> <td>O Livestock</td> <td>X Beverage</td> </tr> <tr> <td>G Building Products</td> <td>P Grain, Feed, Hay</td> <td>Y Paper Products</td> </tr> <tr> <td>H Mobile Homes</td> <td>Q Coal / Coke</td> <td>Z Other</td> </tr> <tr> <td>I Machinery, Large Objects</td> <td>R Meat</td> <td></td> </tr> </table>					A General Freight	J Fresh Produce	S Garbage, Refuse, Trash	B Household Goods	K Liquids / Gases in Cargo Tank	T U.S. Mail	C Metal: Sheets, Coils, Rolls	L Intermodal	U Chemicals	D Motor Vehicles	M Passengers	V Commodities, Dry Bulk	E DriveAway / TowAway	N Oil Field Equipment	W Refrigerated Foods	F Forest Products	O Livestock	X Beverage	G Building Products	P Grain, Feed, Hay	Y Paper Products	H Mobile Homes	Q Coal / Coke	Z Other	I Machinery, Large Objects	R Meat	
A General Freight	J Fresh Produce	S Garbage, Refuse, Trash																													
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H Mobile Homes	Q Coal / Coke	Z Other																													
I Machinery, Large Objects	R Meat																														
1 Bus Use (enter one code from below) <table style="width: 100%; font-size: small;"> <tr> <td>0 Not a Bus</td> <td>2 Transit</td> <td>4 Charter</td> </tr> <tr> <td>1 School (Public or Private)</td> <td>3 Intercity</td> <td>5 Other</td> </tr> </table>					0 Not a Bus	2 Transit	4 Charter	1 School (Public or Private)	3 Intercity	5 Other																					
0 Not a Bus	2 Transit	4 Charter																													
1 School (Public or Private)	3 Intercity	5 Other																													
☐ HAZMAT Class Number (enter one code from below) <table style="width: 100%; font-size: small;"> <tr> <td>1 Explosives</td> <td>6 Poisonous (Toxic) and Infectious Substances</td> </tr> <tr> <td>2 Gases - Compressed, Dissolved or Refrigerated</td> <td>7 Radioactive Material</td> </tr> <tr> <td>3 Flammable Liquids</td> <td>8 Corrosives</td> </tr> <tr> <td>4 Flammable Solids-Combustible, Water Reactive</td> <td>9 Miscellaneous Dangerous Goods, or Blank</td> </tr> <tr> <td>5 Oxidizing Substances-Organic Peroxides</td> <td></td> </tr> </table>					1 Explosives	6 Poisonous (Toxic) and Infectious Substances	2 Gases - Compressed, Dissolved or Refrigerated	7 Radioactive Material	3 Flammable Liquids	8 Corrosives	4 Flammable Solids-Combustible, Water Reactive	9 Miscellaneous Dangerous Goods, or Blank	5 Oxidizing Substances-Organic Peroxides																		
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5 Oxidizing Substances-Organic Peroxides																															
HAZMAT 4 Digit Number		Was HAZMAT released from THIS vehicle's cargo? ☐ YES ☒ NO ☐ UNK																													

J. CHRISTOPHER PARR
LEWISTON, MAINE 04240

October 20, 2026

Right to Know Advisory Committee
c/o Office of Policy & Legal Analysis
13 State House Station
Augusta, ME 04333-0013

RE: TWO SUGGESTIONS FOR THE COMMITTEE'S CONSIDERATION

Dear Chair Carney and Members of the Committee:

Although I am an employee of the State of Maine, I send this correspondence to the Committee solely in my personal capacity as a resident of Maine, to share a perspective of a member of the public.

The purpose of this letter is to share two suggestions regarding the the Freedom of Access Act ("FOAA"; "Act") for the Right to Know Advisory Committee ("RTKAC"; "Committee") to perhaps consider.

The first suggestion is that the Committee strengthen the penalty provisions for intentional violations of the Act. This might include raising the fine amounts specified in 1 M.R.S. § 410 that can be imposed on government agencies and entities that intentionally violate the law, as well as enacting criminal and civil infractions with which public officials and employees could be personally charged or cited for purposely withholding records that should be disclosed or made publicly accessible pursuant to the law.

Alternatively (or in addition), the Committee might consider amending 1 M.R.S. § 452 as follows (*see* underlined text):

**§ 452. Removal, secretion, mutilation of or refusal to return state documents;
intentional nondisclosure of public records**

Whoever intentionally removes any book, record, document or instrument belonging to or kept in any state office, except books and documents kept and deposited in the State Library, intentionally secretes, alters, mutilates, defaces or destroys any such book, record, document or instrument or, having possession or control of any such book, record, document or instrument, intentionally fails or refuses to return the same to that state office or to deliver the same to the person in lawful charge of the office where the same was kept or deposited is guilty of a Class D crime.

A person who intentionally does not disclose or otherwise provide access to a public record pursuant to this chapter that the person knows is publicly disclosable or publicly accessible commits a Class D crime.

Amending the Act in one or both ways would serve to emphasize that State and local government agencies and officials have a duty to act faithfully to further the FOAA's purpose of ensuring government transparency.

The second suggestion is that the Committee take concrete, proactive steps to educate the general public about the FOAA, as well as about best practices to follow when making public record requests. One benefit of doing so would be that some measure of relief might possibly be brought to agencies currently facing burdensome FOAA requests.

Given the breadth of the Committee's statutory charge (as set forth in 1 M.R.S. § 411, sub-§ 1), any of the following steps ostensibly could be taken by the RTKAC without the need for legislation:

- The RTKAC could post on its website tips on how to write effective, reasonably framed FOAA requests that members of the public could reference when composing their own public records requests;
- The Committee could post on its website examples of effective, reasonably framed FOAA requests that agencies have actually received that members of the public could reference when composing their own public records requests;
- The RTKAC could produce and post a video on its website that walks viewers through the FOAA request and response process so that they can learn how the process works and what to expect during the process. (An example of such a video is one that was produced by the Better Government Association about how to file a FOAA request in the State of Illinois. *See generally* <https://www.bettergov.org/2022/12/05/how-to-file-a-foia-request-in-illinois/>.) Such a video could include tips on how to compose effective, reasonably framed FOAA requests;
- The RTKAC could compose and post on its website a model form that members of the public could use to submit effective, reasonably framed FOAA requests. *See, e.g.,* [https://www.illinoisattorneygeneral.gov/Page-Attachments/FOIAPAC/Sample%20FOIA%20request%20form%20v1%20\(2\).pdf](https://www.illinoisattorneygeneral.gov/Page-Attachments/FOIAPAC/Sample%20FOIA%20request%20form%20v1%20(2).pdf);
- The Committee could suggest to State and local government agencies that they post on their respective websites examples of effective, reasonably framed FOAA requests that the agencies have actually received that can serve as models for members of the public to reference when writing their own public records requests;
- The RTKAC could suggest to press and news broadcasting organizations that they post on their respective websites examples of effective, reasonably framed FOAA requests that the organizations have submitted to agencies, for members of the public to reference when writing their own public records requests. Alternatively (or in addition), the Committee might suggest that such organizations post on their respective websites tips on how to write effective, reasonably framed FOAA requests that members of the public could reference when composing their own public record requests;
- The Committee could suggest to Maine-based government-transparency advocacy organizations that they post on their respective websites examples of effective,

reasonably framed FOAA requests for members of the public to reference when writing their own public records requests. Alternatively (or in addition), the Committee might suggest that such organizations post on their respective websites tips on how to write effective, reasonably framed FOAA requests that members of the public could reference when composing their own public record requests;

- Members of the RTKAC could host, e.g., biannual or quarterly online “town hall”-like meetings that members of the public could virtually attend to ask general questions to the Members about the Freedom of Access Act;
- A general Committee email address could be created and posted on the RTKAC website through which general questions or suggestions about the FOAA could be submitted by members of the public, to which Committee members could then respond when appropriate.

Thank you considering this letter. Please feel welcome to contact me via the email address given below if you have any questions about the thoughts I have shared.

Respectfully,



J. Christopher Parr
jchristopherparr@yahoo.com

LD 1088, original bill ¹	LD 1822, original bill	LD 1088, Committee Amendment A	LD 1822, Committee Amendment A ²
26. Sensitive data. "Sensitive data" means personal data that includes: <u>A. Data revealing racial or ethnic origins, religious beliefs, mental or physical health conditions or diagnoses, sexual orientation or citizenship or immigration status;</u> <u>B. Genetic or biometric data;</u> C. Consumer health data; <u>D. Personal data collected from a consumer known to be a child;</u> <u>E. Precise geolocation data;</u> <u>F. A social security number, driver's license number or nondriver identification card number, except that "sensitive data" does not include the last 4 digits of a social security number, driver's license number or nondriver identification card number;</u> <u>G. A consumer's account number, log-in information, financial account number or credit or debit card number that, in combination with any required security code, access code or password, permits access to a consumer's financial account; or</u> <u>H. Data concerning an individual's status as a victim of a crime. For the purposes of this paragraph, "victim" has the same meaning as in Title 17-A, section 2101, subsection 2.</u>	34. Sensitive data. "Sensitive data" means personal data that includes: <u>A. Data revealing racial or ethnic origins, religious beliefs, consumer health data, sexual activity, sexual orientation, gender identity, national origin or citizenship or immigration status;</u> <u>B. Genetic data or biometric data;</u> <u>C. Personal data of a consumer that the controller knows or should know is a minor;</u> <u>D. Precise geolocation data;</u> <u>E. A social security number, driver's license number or nondriver identification card number;</u> <u>F. Billing, financial or payment method information, except that "sensitive data" does not include the last 4 digits of a debit card or credit card number;</u> <u>G. Account or device log-in credentials or security or access codes, including passwords, for an account or device; or</u> <u>H. Data concerning a consumer's status as a victim of a crime. For the purposes of this paragraph, "victim" has the same meaning as in Title 17-A, section 2101, subsection 2.</u>	25. Sensitive data. "Sensitive data" means personal data that includes: <u>A. Data revealing racial or ethnic origins, religious beliefs, medical history, mental or physical health conditions, diagnoses made by a medical professional, sexual orientation or citizenship or immigration status;</u> <u>B. Genetic or biometric data;</u> <u>C. Personal data collected from a consumer known to be a child;</u> <u>D. Precise geolocation data;</u> <u>E. A social security number, driver's license number or nondriver identification card number, except that "sensitive data" does not include the last 4 digits of a social security number, driver's license number or nondriver identification card number;</u> <u>F. A consumer's account number, log-in information, financial account number or credit or debit card number that, in combination with any required security code, access code or password, permits access to a consumer's financial account; or</u> <u>G. Data concerning an individual's status as a victim of a crime. For the purposes of this paragraph, "victim" has the same meaning as in Title 17-A, section 2101, subsection 2.</u>	34. Sensitive data. "Sensitive data" means personal data that includes: <u>A. Data revealing racial or ethnic origins, religious beliefs, consumer health data, sexual activity, sexual orientation, gender identity, national origin or citizenship or immigration status;</u> <u>B. Genetic data or biometric data;</u> <u>C. Personal data of a consumer that the controller knows or should know is a minor;</u> <u>D. Precise geolocation data;</u> <u>E. A social security number, driver's license number or nondriver identification card number;</u> F. Account numbers, credit card numbers or debit card numbers, if circumstances exist wherein such numbers can be used without additional identifying information, access codes or passwords; <u>G. Account or device log-in credentials or security or access codes, including passwords, for an account or device; or</u> <u>H. Data concerning a consumer's status as a victim of a crime. For the purposes of this paragraph, "victim" has the same meaning as in Title 17-A, section 2101, subsection 2.</u>

¹ Committee amendment B to LD 1822 also uses this definition.

² Committee amendment B to LD 1088 also uses this definition.

LD 1088, original bill	LD 1822, original bill ^{3, 4}	LD 1088, Committee Amendment A ⁵
17. Personal data. <u>"Personal data" means information that is linked or reasonably linkable to an identified or identifiable individual. "Personal data" does not include de-identified data or publicly available information.</u>	24. Personal data. <u>"Personal data" means information that is linked or can be reasonably linked to an identified or identifiable consumer or that is linked or reasonably can be linked to a device that is linked or reasonably can be linked to an identified or identifiable consumer. "Personal data" does not include de-identified data or publicly available information.</u>	16. Personal data. <u>"Personal data" means information that is linked or reasonably linkable to an identified or identifiable consumer or that is linked or reasonably linkable to a device that is linked or reasonably linkable to an identified or identifiable consumer. "Personal data" does not include de-identified data or publicly available information.</u>

Additional information:

- LD 1088 was voted out of the Joint Standing Committee on Judiciary with a three-way committee report of ONTP/OTP-AM/OTP-AM
 - Final disposition: Accepted report A (ONTP) (dead)
- LD 1822 was voted out of the Joint Standing Committee on Judiciary with a three-way committee report of OTP-AM/OTP-AM/ONTP
 - Final disposition: Died between houses (dead)

³ Committee amendment B to LD 1088 also uses this definition.
⁴ Committee amendment A to LD 1822 retained the original bill’s definition of “personal data.”
⁵ Committee amendment B to LD 1822 also uses this definition.