

§1091. Failure to appear; penalty

1. Failure to appear. A defendant who has been admitted to either preconviction or postconviction bail and who, in fact, fails to appear as required is guilty of:

A. A Class E crime if the underlying crime was punishable by a maximum period of imprisonment of less than one year; or [PL 2003, c. 452, Pt. H, §2 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

B. A Class C crime if the underlying crime was punishable by a maximum period of imprisonment of one year or more. [PL 2003, c. 452, Pt. H, §2 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]
[PL 2003, c. 452, Pt. H, §2 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

2. Affirmative defense. It is an affirmative defense to prosecution under subsection 1 that the failure to appear resulted from just cause.

[PL 2003, c. 452, Pt. H, §2 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

3. Strict liability. Violation of this section is a strict liability crime as defined in Title 17-A, section 34, subsection 4-A.

[PL 2003, c. 452, Pt. H, §2 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

SECTION HISTORY

PL 1987, c. 758, §20 (NEW). PL 1995, c. 356, §16 (AMD). PL 2003, c. 452, §H2 (RPR). PL 2003, c. 452, §X2 (AFF).

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