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VEHICULAR HOMICIDE CASE MOVES ON

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BELLEFONTE -- The commonwealth's case against a Vermont truck driver accused of vehicular homicide in a fatal crash last year moved forward Tuesday after several key legal victories and the chance that once-suppressed toxicology results could return as evidence.

Peter Carrara originally was accused of being under the influence of methamphetamine on May 22, 2007, when his tractor-trailer hauling headstones crashed into, then rolled over, a car on state Route 64. The crash killed 57-year-old Bonnie Weaver, who died in the fire that consumed her mangled car. But toxicology results showing Carrara had methamphetamine and amphetamine in his system at the time of the crash were suppressed after a judge agreed with defense attorney Brian Manchester that the search warrant used by state police to obtain the results was inaccurate and therefore illegal. But Centre County District Attorney Steve Sloane won victories on several points Tuesday during a hearing before Centre County President Judge David E. Grine: u Both Sloane and Manchester agreed on a stipulation that Weaver burned to death, but left it up to Grine to decide whether a jury will hear that. Manchester said that fact would prejudice a jury against his client, while Sloane thinks a jury deserves to know the victim did not die as a direct result of the crash. u Grine confirmed data from the rig's "black box," or event data recorder, is admissible. According to the recorder, Carrara's tractor-trailer was traveling at 68 mph when he slammed into Weaver's car, said Ronald **Baade**, an expert with Commonwealth Transportation Consultants, who testified at Tuesday's hearing. The speed limit was 55 mph. u Grine told Sloane to provide him with a brief on a federal statute Sloane believes will bring back into evidence the toxicology test results showing Carrara was using meth at the time of the crash. "It's looking as strong as it ever looked," Sloane said afterward. "And we may have one more piece of the puzzle." Carrara was traveling south on Route 64 behind Weaver's car, when Weaver signaled that she would turn right onto Snyderstown Road, police said. Carrara conceded, to avoid slowing his 44-ton loaded rig, he crossed over the solid yellow line and into the oncoming lane to pass Weaver on the left. But the Oldsmobile changed direction, cutting back onto the roadway and into the path of the rig in an attempt to turn left onto Hublersburg Road, police said. "I still have a solid case," Manchester said. "The woman turned in front of my client. If she wouldn't have turned in front of him, that accident would not have happened. The speed of my client didn't matter." Sloane said it does, and that it helps to prove his vehicular homicide case. Sloane said, to prove vehicular homicide, he must show Carrara committed a traffic violation and that he did so in such a negligent and reckless manner so that it led to her death. And Sloane is still trying to get the toxicology tests back in so as to refile dismissed charges of vehicular homicide while DUI and DUI. "If we are successful at that," Sloane said, "I wouldn't want to be Mr. Carrara, facing all this evidence, being a professional driver and having to explain this." Carrara, of North Clarendon, Vt., also is charged with involuntary manslaughter and summary offenses. The case could go to trial as early as August. Pete Bosak can be reached at 235-3928.

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