

MAINE STATE LEGISLATURE

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D. OF R.

STATE OF MAINE
SENATE (Filing No. S-271)
108TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 3, L.D. 6, Bill, "AN ACT to Provide a Mandatory Rehabilitation Program for Minors who Violate the Motor Vehicle Laws while under the Influence of Intoxicating Liquor."

Amend the Bill by striking out all of the title and inserting in its place the following: 'AN ACT to Provide a Mandatory Rehabilitation Program for Persons Convicted of Operating a Motor Vehicle under the Influence of Intoxicating Liquor or Drugs.'

Further amend the Bill by striking out everything after the enacting clause and inserting in its place the following:

'29 MRSA §1312, sub-§10, ¶A, 3rd ¶, 1st sentence,
as repealed and replaced by PL 1977, c. 117, §1, is amended to read:

Upon receipt of an attested copy of the court record of such conviction the license or permit and privilege to operate of such person shall be immediately suspended and in case of a conviction of a first violation of this section, the license or permit and privilege to operate shall not be reinstated by the Secretary of State prior to 30 days from the date of suspension and until such time as the Secretary of State has received written notice that the ~~rehabilitation~~ educational program under the auspices of the Department of Human Services has been satisfactorily completed, in which case the Secretary of State shall have the authority to issue a restricted license or permit to such person; ~~except after 2 months he may petition~~

~~the-Secretary-of-State-for-hearing-and,-if-after-hearing-the
Secretary-of-State-has-determined-that-the-public-safety
will-not-be-endangered-by-issuing-a-new-license-or-restoration
of-right-to-operate,-the-Secretary-of-State-may,-after-4
months,-restore-the-license-and-privilege-to-operate-a-motor
vehicle,-with-or-without-conditions-or-restrictions-and-under
such-terms-as-he-may-deem-advisable,-having-in-mind-the
safety-of-the-public-and-the-welfare-of-the-petitioner.'~~

Statement of Fact

Under the present law, every person convicted of a first violation of driving while impaired has his license or privilege to operate a motor vehicle suspended by the Secretary of State. If such a person completes an alcohol education program under the auspices of the Department of Human Services he may have his license reinstated after 30 days. Otherwise, the suspension is for 4 months. The vast majority of such persons choose to take the program.

The bill required all such persons who are under 18 to take the program. The amendment would require all such persons, of any age, to take the program.

Reported by the Committee on Judiciary.

Reproduced and distributed pursuant to Senate Rule 11-A.

June 17, 1977

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