

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-521)
110TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to H.P. 1585, L.D. 1681, Bill, "AN ACT to Reform the Statutes Relating to Driving under the Influence of Intoxicating Liquor or Drugs."

Amend the bill by inserting after section 9 the following:

'Sec. 10. 29 MRSA §1312, sub-§12 is enacted to read:

12. Roadblocks. Roadblocks may be established under this subsection for the purpose of administering a chemical test to drivers, according to the following provisions.

A. Any law enforcement agency may establish a roadblock on a public way within its jurisdiction for the purpose of administering to the drivers of all vehicles passing through the roadblock a chemical test to determine blood-alcohol level, as authorized by subsection 6.

B. A law enforcement officer at the roadblock shall inform each driver arriving at the roadblock that the driver may refuse to permit the test to be administered, but that refusal will result in suspension of that driver's license or permit and privilege to operate a motor vehicle in this State for a period of 3 months. The officer may request the driver to produce a valid driver's license for identification purposes. A driver who refuses to submit to the chemical test may,

after providing his license for identification purposes, pass through the roadblock.

C. The Secretary of State, upon the receipt of a written statement under oath, within 20 days of the date of the refusal of a driver to submit to a chemical test under this subsection, shall inform the person, in writing, as provided by section 2241, that his license or permit and his privilege to operate has been suspended for 3 months.

Further amend the bill by renumbering sections 10 to 21 to be sections 11 to 22.

Statement of Fact

This amendment authorizes police roadblocks, at which officers would administer the breath test to drivers. A driver would not have to submit to the test but his refusal would result in the loss of his license for 3 months.

Filed by Mr. McHenry of Madawaska.
Reproduced and distributed under the direction of the Clerk of the House.

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