

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

SECOND REGULAR SESSION - 1990

Legislative Document

No. 1953

H.P. 1405

House of Representatives, December 15, 1989

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.

Received by the Clerk of the House on December 15, 1989. Referred to the Committee on Judiciary and 1600 ordered printed pursuant to Joint Rule 14.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative HUTCHINS of Penobscot.

Cosponsored by Senator WEBSTER of Franklin, Representative McCORMICK of Rockport and Representative LIBBY of Kennebunk.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

**An Act to Strengthen Penalties for Operating under the Influence
When a Minor Is a Passenger.**



2 Be it enacted by the People of the State of Maine as follows:

4 29 MRSA §1310 is enacted to read:

6 **§1310. Excessive blood-alcohol level when minor is passenger**

8 Notwithstanding any other provision in this subchapter, when
10 a minor is a passenger in a motor vehicle that a person with an
12 excessive blood-alcohol level operates or attempts to operate,
14 the court may impose a greater penalty on that person than
otherwise provided in this subchapter up to twice the maximum
penalty. This section does not authorize the court to suspend
any portion of a penalty that may not be suspended under this
subchapter.

16 **STATEMENT OF FACT**

18 This bill authorizes the court to double the maximum
20 penalties provided in current law for a person with an excessive
22 blood-alcohol level operating a motor vehicle when a minor is a
24 passenger in the motor vehicle. It is also the intention of this
bill to encourage the use of public service work when appropriate
for an additional penalty or in conjunction with imprisonment or
fines.