

MAINE STATE LEGISLATURE

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STATE OF MAINE

Inter-Departmental Memorandum Date June 27, 1974

Charles E. Wyman, Director

Dept. Motor Vehicle Division

From Leon V. Walker, Jr., Assistant

Dept. Attorney General

Subject P. L. 1973, c. 696

The reference Act amends 29 M.R.S.A. § 1312, sub-§10, para. A., by adding after the first paragraph a new paragraph which reads as follows:

"Notwithstanding any other provision of this Title, the Secretary of State shall have the authority to issue a restricted license or permit to any person whose license or permit or privilege to operate a motor vehicle in this State has been suspended as a result of a conviction for a first offense of operating or attempting to operate under the influence of intoxicating liquor, provided such person has satisfactorily completed a rehabilitation program conducted under the auspices of the Secretary of State. Such license shall not be issued prior to 30 days from the date of suspension. The Secretary of State is authorized to charge a registration fee not to exceed \$30 to participants in the rehabilitation program which shall be applied by him for defraying the expenses of the program."

The provisions of this amendment are remedial and should be liberally construed. Its purpose is to authorize the Secretary of State broader power under the motor vehicle statute. To further this power, it should be extended to all persons now under suspension, or to hereafter come under suspension, for a first conviction of operating or attempting to operate a motor vehicle while under the influence of intoxicating liquor in violation of § 1312, who request the reference rehabilitation program.

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LW/mf

*Copies to Mr. Edgart
D. Dougherty
6-28-74
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SECRETARY OF STATE
MOTOR VEHICLE DIRECTOR
JUN 28 1974
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