

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 1155

H. P. 894

House of Representatives, March 4, 1969

Referred to Committee on Judiciary. Sent up for concurrence and 1,000 ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Santoro, M.D. of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-NINE

AN ACT Relating to a Surcharge on Fines Resulting from Moving Motor
Vehicle Convictions.

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

R. S., T. 20, § 2452, sub-§ 3, additional. Section 2452 of Title 20 of the Revised Statutes is amended by adding a new subsection 3, to read as follows:

3. Penalty assessments for driver education and training programs; fund. To provide funds for the driver education and training programs, there shall be levied an assessment in addition to any other fine and penalty imposed by law, on all offenses involving a violation of the motor vehicle laws of this State, or of a municipal ordinance relating to the operation of motor vehicles, except offenses relating to parking or registration or overload vehicles in the following amounts:

A. When a fine is imposed: \$2 for each \$200 of the fine, or fraction thereof;

B. If sentence is suspended: \$2 if jail only, otherwise based on the amount of fine levied, as in paragraph A;

C. If bail is forfeited: \$2 for each \$200 of bail, or fraction thereof;

D. Where multiple offenses are involved: The penalty assessments shall be based on the total fine or bail for all offenses, or \$2 for each jail sentence.

No part of such penalty assessments shall be paid for administrative expenses.

When a fine is suspended, in whole or in part, the penalty assessment shall be reduced in proportion to the suspension.

After a determination by the court of the amount due, the court shall collect the same and transmit it to the Treasurer of State and it shall be deposited in the Driver Education and Training Penalty Assessment Fund, which fund is created, to be used exclusively as provided in this subsection. Methods of distribution of said funds shall be determined by the Commissioner of Education.

When any deposit of bail is made for an offense to which this subsection applies, the person making such deposit shall deposit a sufficient amount to include the penalty assessment prescribed in this subsection for forfeited bail. If bail is forfeited, the amount of such penalty assessment shall be transmitted by the court to the Treasurer of State and thence to the Driver Education and Training Penalty Assessment Fund.

The funds provided under this subsection shall be in addition to any funds now provided by the State for the support of driver education and training programs.