

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
104TH LEGISLATURE

SENATE AMENDMENT "B" to H.P. 1030, L.D. 1339, Bill, "AN ACT Providing for Implied Consent Law for Operators of Motor Vehicles."

Amend said Bill in that part designated "§1312" of section 1 by striking out in the first line the underlined word "tests" and inserting in place thereof the underlined words 'test of blood' (same in L.D.)

Further amend said Bill in that part designated "§1312" of section 1 by striking out all of the first underlined paragraph (same in L.D.) and inserting in place thereof the following:

'Any person who operates a motor vehicle or attempts to operate a motor vehicle within this State shall be deemed to have given consent to a chemical test of the blood alcohol level of his blood for the purpose of determining the alcoholic content of his blood, if arrested for operating or attempting to operate a motor vehicle while intoxicated by the use of intoxicating liquor or while his mental or physical faculties are impaired by the use of intoxicating liquor. He shall be informed by a law enforcement officer of the test available to him, and said accused shall consent to or refuse such test. The person tested shall be permitted to have a physician of his own choosing and at the expense of the State administer a chemical test of the blood alcohol level of his breath, _____ in addition to the test administered at the direction of the law enforcement officer.'

Further amend said Bill in that part designated "§1312" of section 1 by striking out in the first line of subsection 1 (same in L.D.) the underlined word "specified"; and by striking out in the 3rd line of subsection 1 (same in L.D.) the underlined words "or tests"; and by striking out in the 2nd, 9th and 14th lines of subsection 2 (2nd, 7th and 12th lines of L.D.) the underlined words "to one of the tests" and inserting in place thereof the underlined words 'to the test'; and by striking out in the 16th line of subsection 2 (14th line of L.D.) the underlined words and punctuation "breath or urine,"; and by striking out all of subsection 5 (same in L.D.) and inserting in place thereof the following:

'5. Results of test. The results of such test shall be given to the person tested as soon as available.'; and by striking out in the 2nd line of subsection 7 (same in L.D.) the underlined punctuation and words ", breath or urine"; and by striking out in the last line of subsection 9 (same in L.D.) the underlined words and punctuation "breath, blood or urine" and inserting in place thereof the underlined word 'blood'

Proposed by Senator BELIVEAU of Oxford

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