

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 412

H. P. 310

House of Representatives, January 30, 1973

Referred to the Committee on Judiciary. Sent up for concurrence and ordered printed.

E. LOUISE LINCOLN, Clerk

Presented by Mr. Keyte of Dexter.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT Relating to Suspensions under the Motor Vehicle Laws.

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

R. S., T. 29, § 224I-E, additional. Title 29 of the Revised Statutes is amended by adding a new section 224I-E to read as follows:

§ 224I-E. Suspension

Suspension authorized under this Title shall be effective upon delivery of suspension notification to said person and the period of suspension shall be computed from the actual delivery date of said suspension.

STATEMENT OF FACT

A suspension set by the Motor Vehicle Office is not viewed by the court to be a legal suspension and one that prosecution can be carried out for operation after suspension until the suspension has been delivered in hand.

About 20% of suspensions issued by this office are undeliverable through the certified mail system. Thereby, we must follow a procedure of having a sheriff or deputy or one of our investigators that has been deputized, locate the individual and deliver the suspension in hand. A considerable time lapse occurs, as many of the people under suspension move and leave no forwarding address. Consequently, a legal suspension in the eyes of the court has, in many cases, never materialized, as the suspension period has terminated before delivery.

Recognizing that we must deliver the suspension, the proposed addition would compute the time from the delivery, and the evasion by the suspended person of accepting the suspension order would be eliminated.