MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document   **No. 702**

S. P. 251   In Senate, February 8, 1973
   Referred to Committee on Judiciary. Sent down for concurrence and ordered printed.

                         HARRY N. STARBRANCH, Secretary
   Presented by Senator Schulten of Sagadahoc.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED SEVENTY-THREE

AN ACT Relating to Penalty for Operation of Motor Vehicle under the Influence of Intoxicating Liquor.

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

   Sec. 1. R. S., T. 29, § 1312, sub-§ 10, ¶ A, amended. The first sentence of paragraph A of subsection 10 of section 1312 of Title 29 of the Revised Statutes is amended to read as follows:

Whoever shall operate or attempt to operate a motor vehicle within this State while under the influence of intoxicating liquor or drugs, upon conviction for a first offense, shall be punished by a fine of not more than ~~$200~~ $1,000 or by imprisonment for not more than 90 days, or by both; and whoever is convicted of a 2nd or subsequent offense shall be punished by a fine of not more than ~~$1,000~~ $2,000 or by imprisonment for not more than 6 months, or by both.

   Sec. 2. R. S., T. 29,.§ 1312, sub-§ 10, ¶ A, amended. Paragraph A of subsection 10 of section 1312 of Title 29 of the Revised Statutes is amended by adding after the first paragraph a new paragraph to read as follows:

The imposition of a fine or sentence for a person convicted of a 2nd or subsequent offense under this section shall not be suspended and probation shall not be granted.

STATEMENT OF FACT

   The purpose of this bill is to increase the penalty for drunken driving and to have mandatory sentence and fine for a 2nd or subsequent offense.