

MAINE STATE LEGISLATURE

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D. Of. R.

L.D. 16

STATE OF MAINE
SENATE
109TH LEGISLATURE
FIRST REGULAR SESSION

(Filing No. S-8)

COMMITTEE AMENDMENT "A" to S. P. 9, L.D. 16, Bill, "An ACT to Strengthen and Streamline the Habitual Offender Law."

Amend the Bill in section 2 by striking out all of the first underlined paragraph of that part designated "§2292." and inserting in its place the following:

'An habitual offender is any person, resident or nonresident, whose record, as maintained in the office of the Secretary of State, shows that the person has accumulated convictions or adjudications for separate and distinct offenses described in subsection 1, 2 or 3, committed within a 5-year period, provided that, where more than one included offense is committed on the same day, multiple offenses shall be treated for the purposes of this chapter as one offense.'

Further amend the Bill in section 2 by striking out all of that part designated "§2295." and inserting in its place the following:

'§2295. Prohibition

No license or permit to operate a motor vehicle shall be issued to an habitual offender for a period of one year from the date of the revocation.'

Further amend the Bill in section 2 by striking out all of the 2nd underlined paragraph of that part designated "§2298." and inserting in its place the following:

'If the name and date of birth of the person being prosecuted under this section are the same as the habitual offender whose privilege to operate has been revoked, then there shall be a presumption that that person is the same person whose license was revoked under this chapter.'

Fiscal Note

It is estimated that this bill would save \$9,000 each year.

Statement of Fact

This amendment clarifies the language of the bill and changes a provision governing proof of identity to meet constitutional requirements.

Reported by the Committee on Judiciary.

Reproduced and distributed pursuant to Senate Rule 11-A.

February 9, 1979

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