

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-774)
109TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1644, L.D. 1753, Bill,
"AN ACT Relating to Suspension on Nonappearance under the
Motor Vehicle Laws."

Amend the bill by striking out everything after the
enacting clause and inserting in its place the following:

'Sec. 1. 29 MRSA §2301, 2nd sentence, as amended by
PL 1979, c. 573, §1, is further amended to read:

If ~~a person~~ an individual fails to appear in court on the day
specified, ~~either in person or by counsel~~, the court may
immediately suspend his license or suspend his right to
operate motor vehicles in this State.

Sec. 2. 29 MRSA §2301, as last amended by PL 1979, c.
573, §§ 1 and 2, is further amended by adding after the 2nd
sentence a new sentence to read:

If a person who is not an individual fails to appear, the court
may suspend the registration of the motor vehicle involved
in the offense or that person's right to operate that vehicle
in the State.

Sec. 3. 29 MRSA §2301, 3rd sentence, as enacted by
PL 1979, c. 573, §2, is amended to read:

On receipt of a copy of a court order suspending a person's
license, registration or right to operate in this State, the
Secretary of State shall immediately notify that person of the
suspension by regular mail or personal service.

Sec. 4. 29 MRSA §2301, last sentence, as enacted by
PL 1979, c. 573, §2, is amended to read:

On appearance and on the condition of payment of a \$10 reinstatement fee to the Secretary of State, the court shall rescind the suspension and order the Secretary of State to ~~expunge~~ delete any record of the suspension from that person's driving record.

Sec. 5. 29 MRSA §2301-A, as last amended by PL 1979, c. 573, §3, is further amended by adding after the 2nd paragraph a new paragraph to read:

If a person who is not an individual fails to appear or pay a fine, the court may suspend the registration of the motor vehicle involved in the offense or that person's right to operate that vehicle in the State.

Sec. 6. 29 MRSA §2301-A, last ¶, last sentence, as enacted by PL 1979, c. 573, §3, is amended to read:

On appearances or payment of the fine, whichever was the basis for the suspension, and on the condition of payment of a \$10 reinstatement fee to the Secretary of State, the court shall rescind the suspension and order the Secretary of State to ~~expunge~~ delete any record of the suspension from that person's driving record.'

Statement of Fact

This amendment provides that for nonappearance, firms or corporations will lose the right to operate the vehicle involved

in the original offense, rather than the right to operate any vehicle. This will be enforced by suspending the registration, certificate or right to operate that vehicle. This is necessary because firms or corporations do not have any "right to operate" in the sense of having a "drivers license."

Reported by the Committee on Judiciary
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