

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-73)
110TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 248, L.D. 289, Bill, "AN ACT to Establish a Time Limit on Identifying Prior Refusal to Submit to a Chemical Test for Operating under the Influence."

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

'Sec. 1. 29 MRSA §1312, sub-§2, as repealed and replaced by PL 1979, c. 701, §32, is amended by adding at the end 2 new paragraphs to read:

If it is determined, after a hearing, that any suspension in effect should be removed, the Secretary of State shall delete any record of the suspension and any record of his revocation of consent from that person's driving record,

For the purposes of this section, a prior refusal or revocation of consent to submit to a chemical test shall be a prior refusal or revocation of consent if it occurred within a 6-year period of the date of the most recent refusal or revocation of consent.

Sec. 2. 29 MRSA §1312, sub-§3, as repealed and replaced by PL 1979, c. 701, §32, is amended by adding at the end a new sentence to read:

If the court rescinds the suspension, it shall also order the Secretary of State to delete any record of the suspension and any record of the revocation of consent from that person's driving record. '

Statement of Fact

This amendment adds provisions to delete any record of suspension and revocation of consent from a person's driving record if a hearing by the Secretary of State removes the suspension or a court rescinds the suspension.

Reported by the Committee on Judiciary.
Reproduced and distributed under the direction of the Clerk of the House.

3/5/81

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