

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 289

H. P. 248

House of Representatives, January 19, 1981

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

EDWIN H. PERT, Clerk

Presented by Mr. Hobbins of Saco.

Cosponsor: Senator Devoe of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Establish a Time Limit on Identifying Prior Refusal to Submit to a Chemical Test for Operating Under the Influence.

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

29 MRSA § 1312, sub-§ 2, as repealed and replaced by PL 1979, c. 701, § 32, is amended by adding at the end a new paragraph to read:

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.

STATEMENT OF FACT

Under the current statute a refusal to submit to a chemical test for operating under the influence remains on that person's driver's record indefinitely. This bill will set a time limit of 6 years in identifying a prior refusal which will conform to the 6-year limit on a prior offense of operating under the influence.