

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 417

H. P. 379

House of Representatives, January 26, 1981

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

EDWIN H. PERT, Clerk

Presented by Representative Carroll of Limerick.

STATE OF MAINE

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

AN ACT Creating Specific Penalties for Theft of Gasoline.

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

Sec. 1. 17-A MRSA § 362, sub-§ 4, as enacted by PL 1975, c. 499, § 1, is amended to read:

4. Theft is a Class D crime if:

A. It is a violation of section 360, regardless of the value involved; ~~or~~

B. The value of the property or services exceeds \$500 but does not exceed \$1,000; or

C. **The property stolen is motor vehicle fuel. Notwithstanding section 1252 the court shall sentence a person convicted of the theft of motor vehicle fuel to imprisonment for a term of not less than 6 months. The court shall also order the Secretary of State to suspend the person's driver's license for a period of 3 years. The court may not suspend any portion of the sentence nor may it grant probation.**

Sec. 2. 17-A MRSA § 363 is enacted to read:

§ 363. **Property forfeited**

Any vehicle or equipment used, or intended for use, to facilitate the theft of

motor vehicle fuel is subject to forfeiture to the State. Forfeiture proceedings shall comply with Title 22, section 2387.

STATEMENT OF FACT

This bill establishes, for the theft of gasoline, a mandatory 6-month jail sentence, loss of driver's license for 3 years and the forfeiture to the State of any vehicle or equipment used in the theft.