

MAINE STATE LEGISLATURE

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D. OF R.

1

L.D. 1237

2

(Filing No. S-209)

3

STATE OF MAINE

4

SENATE

5

111TH LEGISLATURE

6

FIRST REGULAR SESSION

7

SENATE AMENDMENT "A" to H.P. 956, L.D. 1237,

8

Bill, "AN ACT to Amend the Habitual Offender Law."

9

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

11

12

'29 MRSA §2296-B is enacted to read:

13

§2296-B. Work-restricted license

14

1. Petition. A person whose license to operate
15 a motor vehicle has been revoked as an habitual
16 offender, pursuant to section 2293, may petition the
17 Secretary of State for a work-restricted license.

18

2. Stay; license. Upon receipt of the petition
19 the Secretary of State may stay the revocation during
20 the statutory revocation period and issue a
21 work-restricted license. The Secretary of State may,
22 in deciding whether to issue a work-restricted li-
23 cense, consider the petitioner's need.

24

3. Revocation; procedure. The Secretary of
25 State shall revoke, without preliminary hearing, the
26 work-restricted license of any person who is adjudi-
27 cated or convicted of any violation of this Title
28 committed during the period when a work-restricted
29 license has been issued. Upon revocation of the
30 work-restricted license, the stay of revocation
31 issued pursuant to this section shall be vacated
32 immediately. Any habitual offender whose
33 work-restricted license has been revoked shall have
34 the right to a hearing in accordance with procedures
35 and presumptions set forth in sections 2294 and 2297.
36 No stay of revocation may be issued pending any
37 requested hearing. If, after the hearing, the Secre-

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1 tary of State or his deputy finds that the person is
2 not the same person named in the transcript or ab-
3 stract, the revocation shall be stayed and a
4 work-restricted license shall be reissued, but, if
5 the Secretary of State finds that the person is the
6 same person named in the transcript or abstract, the
7 revocation shall be invoked. An habitual offender who
8 is adjudicated or convicted of any violation of this
9 Title committed during the period when a
10 work-restricted license has been issued shall not be
11 entitled to any further relief during the remaining
12 term of the revocation.

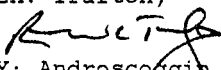
13 4. Eligibility. A person is not eligible for a
14 license under this section if one or more of the con-
15 victions or adjudications upon which his habitual
16 offender status is based, pursuant to section 2292,
17 carried a mandatory penalty of suspension or revoca-
18 tion of license.

19 5. Definition. For purposes of this section, a
20 "work-restricted license" is a license to operate a
21 motor vehicle between a residence and a place of
22 employment, in the scope of employment, or both, as
23 determined by the Secretary of State.

24 STATEMENT OF FACT

25 The purpose of this amendment is to correct tech-
26 nical errors in a bill recalled from the Governor's
27 desk.

28 4442061483

29 (Sen. Trafton)
30 NAME: 
31 COUNTY: Androscoggin