

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 417

H.P. 318 House of Representatives, February 19, 1987
Reference to the Committee on Judiciary suggested and
ordered printed.

EDWIN H. PERT, Clerk
Presented by Representative CONLEY of Portland.
Cosponsored by Representative MARSANO of Belfast.

STATE OF MAINE

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

1 AN ACT to Grant Judges the Authority to Stay
2 a License Suspension for a Period of
3 Time not to Exceed 4 Hours.
4

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

7 29 MRSA §2241-H, first ¶, as amended by PL 1981,
8 c. 679, §45, is further amended to read:

9 In the case of any conviction or adjudication un-
10 der former section 1312, subsection 10, section
11 1312-B, 1312-C, 1314 or for any offense for which the
12 suspension of a license or the right to operate a mo-
13 tor vehicle or the right to apply for or obtain a li-
14 cense is required by law or in any case in which the
15 court suspends a license under section 2305, the
16 court shall inform the defendant of the suspension

1 and the defendant shall acknowledge this notice in
2 writing on a form to be provided by the court. The
3 court, as part of its sentence, unless the defendant
4 appeals and a stay of execution of the suspension is
5 granted, shall take any license certificate issued by
6 this State from the person convicted or adjudicated
7 or any license certificate issued by another state,
8 foreign country or province from the person convicted
9 or adjudicated if that person is residing, domiciled
10 or employed in this State. The court, as part of its
11 sentence, unless the defendant appeals and a stay of
12 execution of the suspension is granted, may take from
13 the person convicted or adjudicated any license cer-
14 tificate issued by another state or foreign country
15 or province if the person is not residing, domiciled
16 or employed in this State. At sentencing, the court,
17 upon reasonable cause shown, may stay the suspension
18 of the license or a right to operate a motor vehicle
19 for a period not to exceed 4 hours from the time of
20 sentencing. The court may issue such evidence of
21 that stay as it deems necessary. The court shall
22 forward the license certificate, a copy of the sen-
23 tence and the acknowledgment of notice by mail to the
24 Secretary of State.

25 STATEMENT OF FACT

26 This bill allows judges to stay a suspension of a
27 motor vehicle operator's license for a period of up
28 to 4 hours. Such a stay might be used to allow the
29 defendant to return home.

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