

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 720

H.P. 536 House of Representatives, March 11, 1987
Reference to the Committee on Transportation suggested
and ordered printed.

EDWIN H. PERT, Clerk
Presented by Representative WARREN of Scarborough.
Cosponsored by Senator PEARSON of Penobscot and
Representative MILLS of Bethel.

STATE OF MAINE

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

1 AN ACT Relating to Work-restricted Licenses.
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3 Be it enacted by the People of the State of Maine as
4 follows:

5 Sec. 1. 29 MRSA §1311-A, sub-§5-A, as repealed
6 and replaced by PL 1983, c. 850, §1, is amended to
7 read:

8 5-A. Work-restricted license. Upon receipt by
9 the Secretary of State of a petition for a
10 work-restricted license by any person whose license
11 or right to operate a motor vehicle has been sus-
12 pended pursuant to this section, the Secretary of
13 State may stay the suspension during a statutory sus-
14 pension period and issue a work-restricted license.
15 The issuance of such a license shall be conditioned
16 upon a showing by the petitioner by clear and con-

1 vincing evidence that such a license is necessary to
2 operate a motor vehicle between the residence and a
3 place of employment or to operate a motor vehicle in
4 the scope of employment, or both, as determined by
5 the Secretary of State and that no alternative means
6 of transportation is available. The Secretary of
7 State may impose no other conditions upon the issu-
8 ance of a work-restricted license under this subsec-
9 tion.

10 Sec. 2. 29 MRSA §2241-G, sub-§2, ¶H, as amended
11 by PL 1985, c. 402, §9, is further amended to read:

12 H. Upon receipt by the Secretary of State of a
13 petition for a restricted license for employment
14 or education purposes by any person whose license
15 or right to operate a motor vehicle has been sus-
16 pended pursuant to paragraph B, subparagraph (2),
17 the Secretary of State may stay the suspension
18 during the statutory period and issue a re-
19 stricted license if no alternate means of trans-
20 portation is available as follows:

21 (1) A work-restricted license may be issued
22 and shall be conditioned upon a showing by a
23 petitioner by clear and convincing evidence
24 that such a license is necessary to operate
25 a motor vehicle between the residence and
26 place of employment or to operate a motor
27 vehicle in the scope of employment, or both.

28 (2) A restricted license to operate a motor
29 vehicle for educational purposes may be is-
30 sued and shall be conditioned upon a showing
31 by the petitioner by clear and convincing
32 evidence that such a license is necessary to
33 operate a motor vehicle between the resi-
34 dence and an educational facility attended
35 by the petitioner.

36 The Secretary of State may impose no other condi-
37 tions upon the issuance of a work-restricted li-
38 cence under this paragraph.

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STATEMENT OF FACT

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This bill provides that the Secretary of State may impose no other conditions upon the issuance of a work-restricted license other than the statutory condition that the driver show by clear and convincing evidence that a license is necessary when no other means of transportation is available:

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1. In the case of a driver 21 years of age or older, to operate a motor vehicle between his home and employment or in the scope of his employment; or

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2. In the case of a driver under 21 years of age, to operate a motor vehicle between his home and employment or school or in the scope of his employment.

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