

MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 2281

S.P. 878 In Senate, February 17, 1988
Approved for Introduction by a Majority of the Legislative
Council pursuant to Joint Rule 26.

Reference to the Committee on Legal Affairs suggested and
ordered printed.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator KANY of Kennebec.

Cosponsored by Representative ALLEN of Washington,
Representative SWAZEY of Bucksport, Representative KETOVER of
Portland.

STATE OF MAINE

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

1 AN ACT to Require Motor Vehicle Ignition
2 Interlock Devices for Persons with
3 Restricted Driving Privileges Involving Drugs or
4 Alcohol.
5

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

8 29 MRSA c. 11, sub-c. V-A is enacted to read:

1 owned by the employer, the person may operate that
2 vehicle without installation of an approved ignition
3 interlock device if the employer has been notified of
4 that driving privilege restriction and if proof of
5 that notification is with the vehicle. This
6 employment exemption does not apply if the business
7 entity that owns the vehicle is owned or controlled by
8 the person whose driving privilege has been restricted.

9 §1325. Rules and standards for devices

10 The Secretary of State shall adopt rules in
11 accordance with the Maine Administrative Procedures
12 Act, Title 5, chapter 375, for the approval of models
13 and classes of devices used under this subchapter.
14 The Secretary of State by rule shall establish
15 standards for the calibration and maintenance of
16 devices, but the calibration and maintenance of each
17 individual device is the responsibility of the
18 manufacturer of that device. If the Secretary of
19 State approves a device, the Secretary of State shall
20 notify the manufacturer in writing of that fact.
21 Written notice from the Secretary of State to a
22 manufacturer approving a device is admissible in any
23 civil or criminal proceeding in this State. The
24 manufacturer shall reimburse the Secretary of State
25 for any cost incurred by the Secretary of State in
26 approving a device under this subchapter. The
27 Secretary of State may not be held liable in a civil
28 or criminal proceeding arising out of the use of a
29 device approved under this subchapter.

30 §1326. Warning label

31 The Secretary of State shall design a warning
32 label which shall be promptly affixed, by the person
33 who has a court-ordered ignition interlock device
34 installed, to each device upon installation. The
35 label shall contain a warning that any person
36 tampering, circumventing or otherwise misusing the
37 device is guilty of a Class E crime punishable as
38 provided by law.

39 §1327. Others prohibited from using device

