

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1056

H.P. 752

House of Representatives, April 5, 1989

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative HEPBURN of Skowhegan.

Cosponsored by Senator KANY of Kennebec, Representative PAUL of Sanford and Representative STEVENS of Sabattus.

STATE OF MAINE

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

**An Act to Revoke Drivers' Licenses of Individuals Convicted of
Trafficking in Drugs.**



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

3 **Sec. 1. 17-A MRS §1101, sub-§21** is enacted to read:

5 21. "Drug dependent person" means a person who is using a
7 scheduled drug or imitation scheduled drug and who is in a state
9 of psychic or physical dependence, or both, arising from the use
11 of that scheduled drug or imitation scheduled drug on a
13 continuous basis. Drug dependence is characterized by behavioral
and other responses, including, but not limited to a strong
compulsion to take the substance on a recurring basis in order to
experience its psychic effects, or to avoid the discomfort of its
absence.

15 **Sec. 2. 17-A MRS §1117** is enacted to read:

17 §1117. Revocation of license

19 In addition to any disposition authorized by this chapter,
21 every person convicted of trafficking in scheduled drugs or
23 imitation scheduled drugs shall forthwith forfeit the right to
25 operate a motor vehicle over the public ways of this State for a
27 period to be fixed by the court at not less than 6 months nor
29 more than 2 years or, after the expiration of 6 months, until the
31 privilege is restored to that person by the Secretary of State
33 upon application to and after certification by a physician that
35 the person is not a drug dependent person within the meaning of
this chapter. If a person is less than 17 years of age at the
time of the imposition of sentence, the suspension of driving
privileges authorized in this section shall not begin until the
defendant reaches 17 years of age. The court before whom any
person is convicted of or adjudicated delinquent for a violation
of any offense defined in this chapter shall cause a report of
the conviction or adjudication to be filed with the Secretary of
State.

37

39 **STATEMENT OF FACT**

41 The purpose of this bill is to add a definition in the
43 criminal code for a drug dependent person and to revoke the
driver's license of any person convicted of trafficking in
scheduled drugs or imitation scheduled drugs.