

MAINE STATE LEGISLATURE

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L.D. 1069

(Filing No. H- 377)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
114TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 765, L.D. 1069, Bill, "An Act Relating to Motor Vehicle Insurance Surcharges Due to License Suspension"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 24-A MRSA §2303-A is enacted to read:

§2303-A. Surcharge

No insurer may surcharge a motor vehicle insurance policy based on a motor vehicle operator's license suspension when that suspension is pursuant to Title 29, section 2241-G, subsection 2, paragraph B, subparagraph (2), except in accordance with this section. If the person had a blood-alcohol level of at least 0.05%, but less than 0.08% by weight, the surcharge shall be limited to 20%. If the person had a blood-alcohol level of at least 0.02% but less than 0.05% by weight, the surcharge shall be limited to 10%. If the policy covers multiple vehicles, the surcharge may only be applied to that portion of the rate attributable to a single vehicle.

Sec. 2. 29 MRSA §2241-G, sub-§2, ¶P is enacted to read:

P. Any suspension under this subsection shall, in any report to an insurance company or any member of the public, be expressly identified as such and distinguished from a suspension under section 1312 or section 2241-J.

STATEMENT OF FACT

This amendment, like the bill, addresses the problem that some insurance companies are surcharging the insurance rates of

COMMITTEE AMENDMENT "A" to H.P. 765, L.D. 1069

1 persons under 21 by the same amount for violation of the .02
2 parts per million (ppm) blood-alcohol limit for minors as for
3 violation of the general .08 ppm limit. The amendment limits the
4 rate surcharge to 10% for blood alcohol of at least .02 but less
5 than .05 ppm and to 20% for blood alcohol of at least .05 but
6 less than .08 ppm. For blood alcohol levels of .08 or more the
7 full operating-under-the influence (OUI) surcharge would still
8 apply. The amendment also clarifies the reporting section to
9 require that any report to an insurance company of license
10 suspension must clearly distinguish between the general OUI
11 conditions and the OUI conditions for minors.

Reported by the Committee on Banking and Insurance
Reproduced and distributed under the direction of the Clerk of the
House
6/1/89 (Filing No. H-377)