## MAINE STATE LEGISLATURE

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## 115th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1991

Legislative Document No. 368 In Senate, February 5, 1991 S.P. 156 Reference to the Committee on Judiciary suggested and ordered printed. and the control of th on all to be the control to the state of the control of the vision of the vision of the control the parties of the Senate As geriada de la comparta del comparta de la comparta del comparta de la comparta del comparta de la comparta del comparta de la comparta del Presented by Senator WEBSTER of Franklin in the sense of the design and the sense of the sense o OCSTATE OF MAINE and the second profit of the second and the second IN THE YEAR OF OUR LORD 20 NINETEEN HUNDRED AND NINETY-ONE 5 1 An Act to Increase the Period of Suspension for Persons Convicted of Operating under the Influence. To present the Debuta (E) 8.5 maisub . C. poid regard . A. 1961 mailcos ni henileb favet. Industs bould as dily in specifial suit refar interm to feb. 0 BTsit/ Jak) dest lestesde a Lot timble .ot beilet it) 432 savoi. Lodoodashovad kigaaaba Jada. Bo Laaldadimuslab tased relice and le le denuers hijolin medicatopapen lemb

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	Sec. 1. 29 MRSA §1312-B, sub-§2, ¶A, as amended by PL 1989, c.
4	784, §5, is further amended to read:
б	A. Except as provided in paragraph B, in the case of a
	person having no previous convictions of a violation of
8	former section 1312, subsection 10, former section 1312-B or
	this section and having no previous suspension of license or
10	privilege to operate for failure to comply with the duty to
	submit to and complete chemical testing under section 1312
12	within a 6-year period, the fine may not be less than \$300
	and the court shall suspend the defendant's license or
14	permit to operate, right to operate a motor vehicle and
	right to apply for and obtain a license for a period of 90
16	days <u>6 months</u> , which penalties may not be suspended.
838. ja)	y the control of the
	Sec. 2. 29 MRSA §1312-B, sub-§2, ¶B, as amended by PL 1989, c.
MAG.	$< m_0 T/V_0 \sim 3 mand \sigma c$ . 784, $\S 6$ , is repealed and the following enacted in $\sim 1$
20	its place:
	diaming becomes from nonegypes continued an extremely being a convey of the
22	B. In the case of a person having no previous convictions
e <sup>c</sup>	of a violation of former section 1312, subsection 10, former
24	section 1312-B, or this section and having no previous
	suspension of license or privilege to operate for failure to
26	comply with the duty to submit to and complete chemical
	Testing under section 1312 within a 6-year period, the fine
28	wassas of may anotobe less than \$300, the sentence must include a
	period of incarceration of not less than 48 hours and the
30	court shall suspend the defendant's license or permit to
	operate, right to operate a motor vehicle and right to apply
3 2	
	penalties may not be suspended, when the person:
34	2.8.8.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.
2.5	(1) Was tested as having a blood-alcohol level of
36	0.15% or more;
2.0	
38	(2) Was; driving in excess of the speed limit by 30
40	miles and hour or more during the operation that
40	resulted in the prosecution for operating under the
	influence or with a blood-alcohol level of 0.08% or
42	more;
4.4	to the total and the project to be the second of the second to the second of the second total second of the second
44	(3) Eluded or attempted to elude an officer, as
16	defined in section 2501-A, subsection 3, during the
40	operation that resulted in prosecution for operating
4.0	under the influence or with a blood-alcohol level of
48	0.08% or more;
E 0	(4) Epiled to submit to a sharing that for the
50	(4) Failed to submit to a chemical test for the
52	determination of that person's blood-alcohol level or drug concentration at the request of a law enforcement
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Be it enacted by the People of the State of Maine as follows:

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	officer on the occasion that resulted in th
2	conviction; or
4	(5) Was, on the occasion that resulted in the conviction, operating or attempting to operate a moto
6	vehicle with a passenger under 16 years of age.
8	
10	STATEMENT OF FACT
12	Under current law, when a person is convicted of operating a motor vehicle while under the influence of alcohol or drugs, the
14	court suspends the defendant's license for a period of 90 days This bill increases the mandatory suspension period to 6 months.