

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 985

H.P. 686

House of Representatives, March 8, 1991

Received by the Clerk of the House on March 6, 1991. Referred to the Committee on Legal Affairs and 1400 ordered printed pursuant to Joint Rule 14.

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

EDWIN H. PERT, Clerk

Presented by Representative REED of Falmouth.
Cosponsored by Senator BRANNIGAN of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

An Act to Enhance the Laws Governing Financial Responsibility.



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

2
4 Sec. 1. 29 MRSA §780, sub-§5, as enacted by PL 1987, c. 341,
§§3 and 7, is amended to read:

6 5. **Penalty.** Violation of this section is a traffic
8 infraction, for which a forfeiture of ~~net-more-than-\$100-may-be~~
\$500 is assessed. In lieu of a forfeiture, performance of 100
10 hours of community service work may be required.

12 Sec. 2. 29 MRSA §782, sub-§1, as amended by PL 1983, c. 809,
§1, is further amended to read:

14 1. **Suspension of licenses.** Upon receipt of an abstract of
16 the record in cases of conviction or adjudication of any person
for a violation of any state law relative to motor vehicles, the
18 Secretary of State, ~~in his discretion, may forthwith~~ shall
immediately, pursuant and ~~subject~~ to chapter 17, suspend the
20 license of the person so convicted or adjudicated and the
22 registration certificates and registration plates issued for any
24 motor vehicle, trailer or semitrailer registered in the name of
26 such that person unless and until such that person gives and
thereafter maintains for a period of 3 years proof of his
28 financial responsibility in the limits of \$20,000 for each
30 individual, \$40,000 for any one accident resulting in injury or
32 death to one or more persons and \$10,000 for damage to property
of others. Upon receipt of an attested copy of the court record
34 of a conviction or adjudication under section 1312-B, 1312-C or
36 Title 15, section 3103, subsection 1, paragraph F, when the
38 person has been previously convicted within a 6-year period of
violating any of these provisions or subsection 10 of former
40 section 1312, the Secretary of State ~~shall~~ may not reinstate the
42 person's license, right to operate a motor vehicle or right to
44 apply for or obtain a license until the person gives and
thereafter maintains for a period of ~~3-years~~ 3 years proof of his
46 financial responsibility in the limits provided in this
48 subsection, provided that the period of suspension ~~shall-in-no~~
ease-be is not less than the original period of suspension
50 imposed for the conviction or adjudication. The Secretary of
52 State shall take action as required in this section upon
receiving proper evidence of any such conviction or adjudication
of any person in another state. The Secretary of State may waive
the requirement of filing proof of financial responsibility at
any time after 3 years from the date of request for compliance.

STATEMENT OF FACT

50 This bill requires the Secretary of State to suspend the
52 operators' licenses and vehicle registrations of persons who
violate state motor vehicle laws unless and until those persons

2 produce proof of financial responsibility. Under current law,
the Secretary of State is vested with discretionary authority.

4 The bill also increases the fine for operating a motor
6 vehicle without insurance from an amount of up to \$100 to a flat
\$500. In lieu of a fine, the court may order the defendant to
8 perform community service work.