



115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1298

H.P. 901

House of Representatives, March 27, 1991

Submitted by the Department of Public Safety pursuant to Joint Rule 24. Reference to the Committee on Legal Affairs suggested and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative BAILEY of Township 27. Cosponsored by Representative STEVENS of Sabattus and Representative PAUL of Sanford.

STATE OF MAINE

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

An Act to Strengthen the Prohibition Against Illegal Transportation of Alcohol by Minors.

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2	Be it enacted by the People of the State of Maine as follows:
4	Sec. 1. 28-A MRSA §2052, sub-§3, as enacted by PL 1987, c. 45,
4	Pt. A, §4, is amended to read:
6	3. Violation. Any minor who violates this section commits a traffic infraction for which a forfeiture may be adjudged of
8	not more than \$500. A forfeiture must be adjudged of not less than \$200 for a 2nd offense and not less than \$400 for a 3rd or
10	subsequent offense, none of which may be suspended.
12	Sec. 2. 28-A MRSA 32053, sub- 342, as amended by PL 1987, c. 342, 120, is further amended to read:
14	
	Penalty. The penalty <u>penalties</u> provided in this section
16	is-the exclusive-penalty-for-violating and section 2052,-and is
· · ·	are not in conflict with Title 15, Part 6,-but-is-additional-te
18	the-civil-violation-defined-in-section-2051.
20	•
	STATEMENT OF FACT
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	Currently, some of the courts are interpreting the license
24	suspension provided for in the Maine Revised Statutes, Title 28-A, section 2053, to be the only penalty for illegal
26	transportation of liquor by a minor. This bill makes it clear
	that a fine may also be imposed. The fine may not exceed \$500,
28	may not be less than \$200 for a 2nd offense and may not be less
28 30	
	may not be less than \$200 for a 2nd offense and may not be less than \$400 for a 3rd or subsequent offense. The fine may not be
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