

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1415

S.P. 532

In Senate, April 4, 1991

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator CONLEY of Cumberland

STATE OF MAINE

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

An Act Concerning Work-restricted Licenses.



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

29 MRSA §534, as amended by PL 1975, c. 731, §37, is repealed and the following enacted in its place:

§534. Restricted licenses; work-restricted licenses

1. Generally. The Secretary of State may after a complete examination or investigation restrict the license of any operator so as to permit the operation of a specified vehicle or vehicles, operation during the daylight hours within a designated area or any other restriction or condition the Secretary of State determines to be in the interest of highway safety.

2. Upon suspension or revocation. Upon petition by a person whose license or right to operate a motor vehicle has been suspended or revoked, the Secretary of State, by issuing a work-restricted license, may stay the suspension during a statutory suspension period or may stay the revocation. To receive a work-restricted license, a petitioner must show by clear and convincing evidence:

A. That a work-restricted license is necessary to operate a motor vehicle between the petitioner's residence and a place of employment or to operate a motor vehicle in the scope of employment, or both, as determined by the Secretary of State;

B. That no alternative means of transportation is available; and

C. All other conditions of restoration have been satisfied.

This subsection applies only to the extent not in conflict with federal law or federal grant criteria for highway safety programs and applies notwithstanding section 1311-A, subsection 5-A, section 2241-G, subsection 2, paragraph H, section 2241-J, subsection 14 and section 2296-B. This subsection does not apply to a suspension for failure to appear or for failure to pay a fine.

STATEMENT OF FACT

This bill authorizes the Secretary of State to issue a work-restricted driver's license when the license or right to operate has been revoked or suspended judicially or administratively.