

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1991

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Legislative Document

No. 1584

S.P. 599

In Senate, April 18, 1991

Reference to the Committee on Judiciary 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

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STATE OF MAINE

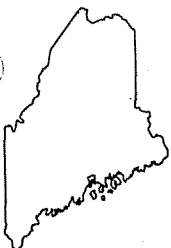
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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-ONE

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**An Act Concerning Motor Vehicle Registrations after Suspension of the  
Right to Operate a Motor Vehicle.**

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

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Sec. 1. 29 MRSA §2241-H, first ¶, as amended by PL 1989, c.  
4 872, §9, is further amended to read:

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8 In the case of any conviction or adjudication under former  
10 section 1312, subsection 10, section 1312-B, 1312-C, 1314 or for  
12 any offense for which the suspension of a license or the right to  
14 operate a motor vehicle or the right to apply for or obtain a  
16 license is required by law ~~the court shall also suspend the  
18 defendant's right to register a motor vehicle and the  
20 registration certificate and plates issued by this State to the  
22 defendant for that motor vehicle,~~ or in any case in which the  
24 court suspends a license under section 2305, ~~the court may also  
26 suspend the defendant's right to register a motor vehicle and the  
28 registration certificate and plates issued by this State to the  
30 defendant for that motor vehicle,~~ and the court shall inform the  
32 defendant of the suspensions suspension and the defendant shall  
34 acknowledge this notice in writing on a form to be provided by  
36 the court. The court, as part of its sentence, unless the  
38 defendant appeals and a stay of execution of the suspension is  
40 granted, shall take any license certificate issued by this State  
42 from the person convicted or adjudicated or any license  
certificate issued by another state, foreign country or province  
from the person convicted or adjudicated if that person is  
residing, domiciled or employed in this State. The court, as part  
of its sentence, unless the defendant appeals and a stay of  
execution of the suspension is granted, may take from the person  
convicted or adjudicated any license certificate issued by  
another state or foreign country or province if the person is not  
residing, domiciled or employed in this State. At sentencing,  
the court, upon reasonable cause shown, may stay the suspensions  
suspension of the license or a right to operate a motor vehicle  
for a period not to exceed 4 hours from the time of sentencing.  
The court may issue such evidence of that stay as it determines  
necessary. The court shall forward the license certificate, a  
copy of the sentence and the acknowledgment of notice by mail to  
the Secretary of State, ~~and the court shall order the defendant  
to return the suspended registration certificate and plates to  
the Secretary of State.~~ The Secretary of State shall return the  
certificate of registration and plates to the defendant when the  
defendant's license and operating and registration privileges  
have been restored.

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Sec. 2. 29 MRSA §2241-H, 2nd ¶, as enacted by PL 1989, c. 872,  
46 §9, is repealed.

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#### STATEMENT OF FACT

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52 This bill repeals the recently enacted provision of the laws  
that requires a court to suspend a defendant's motor vehicle

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registration in cases where the defendant is convicted of operating a motor vehicle after suspension of a driver's license.