

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
115TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1541, L.D. 2174, Bill, "An Act to Protect School Students from Potential Harm"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 29 MRSA §1312-D, sub-§12, is enacted to read:

12. Suspension or revocation of school bus operator endorsement. The Secretary of State shall:

A. Permanently revoke the school bus operator endorsement of any person convicted for a violation of section 1312-B who operated a school or private school activity bus during the commission of the offense;

B. Suspend for a period of at least 3 years the school bus operator endorsement of any person convicted for a first violation of section 1312-B. The person whose school bus operator endorsement has been suspended for a first violation of section 1312-B may petition the Secretary of State to restore the endorsement after one year of the suspension has been completed. The petition must include a recommendation from the school superintendent that the endorsement be restored. The Secretary of State may grant the petition with any conditions, restrictions or terms determined to be in the interest of highway safety; or

C. Suspend for a period of at least 6 years the school bus operator endorsement of any person convicted of a 2nd or

2 subsequent violation of section 1312-B within a 6-year
3 period as defined by section 1312-B, subsection 2,
4 paragraphs F and G.

6 **Sec. 2. 29 MRSA §2013, sub-§3** is enacted to read:

8 3. Current endorsement holders. The Secretary of State
9 shall suspend or revoke a school operator's endorsement as
10 provided in section 1312-D, subsection 12.

12 **FISCAL NOTE**

14 The additional costs associated with new responsibilities
15 relating to the suspension of school bus operators when convicted
16 for operating-under-the-influence can be absorbed by the Division
17 of Motor Vehicles utilizing existing budgeted resources.'

20 **STATEMENT OF FACT**

22 This amendment requires the Secretary of State to revoke
23 permanently the school bus operator endorsement of any person
24 convicted for operating-under-the-influence while driving a
25 school or private school activity bus.

28 The amendment also requires the Secretary of State to
29 suspend a school bus operator endorsement of any person convicted
30 of a first offense operating-under-the-influence for a period of
31 3 years. The Secretary of State may restore the endorsement of a
32 first offender after one year. A petition for early restoration
33 must be accompanied by a recommendation of the school
34 superintendent.

36 The amendment further obligates the Secretary of State to
37 suspend a school bus operator endorsement of any person convicted
38 of a 2nd or subsequent operating-under-the-influence violation
for a period of at least 6 years.

Reported by the Committee on Transportation.
Reproduced and distributed under the direction of the Clerk of the House.

(2/24/92)

(Filing No. H-968)