

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

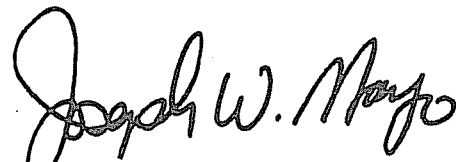
No. 747

H.P. 551

House of Representatives, March 2, 1993

**An Act to Amend the Law Regarding Suspension of an Operator's
License for Nonpayment of Fines.**

Reference to the Committee on Transportation suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative KETTERER of Madison.

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

2
4 Sec. 1. 29 MRSA §2301-A, as amended by PL 1991, c. 549, §14
and affected by §17, is further amended to read:

6 **§2301-A. Suspension on nonappearance**

8 If a person fails to appear in court on the date and time
10 specified in response to a Uniform Summons and Complaint, a
summons, a condition of bail or order of court for any criminal
12 violation of Title 23, section 1980; a civil violation under
Title 28-A, section 2052; or any criminal provision of this
14 Title, or for any further appearance ordered by the court,
including one for the payment of a fine, either in person or by
16 counsel, ~~or fails to pay a fine imposed for a criminal traffic~~
offense, the clerk shall suspend the person's license or permit,
18 the right to operate a motor vehicle in this State and the right
to apply for or obtain a license or permit. The suspension has
20 the same force and effect as a suspension by the Secretary of
State.

22 If a person who is not an individual fails to appear or pay
24 a fine in a criminal traffic offense, the clerk shall suspend the
registration of the motor vehicle involved in the offense or that
26 person's right to operate that vehicle in the State.

28 On receipt of a copy of an order of any such suspension in a
criminal traffic offense, the Secretary of State shall
30 immediately notify that person of the suspension by regular mail
or personal service. ~~The suspension has the same force and~~
32 ~~effect as a suspension by the Secretary of State.~~ The suspension
remains in effect until the person appears, either in person or
34 by counsel, ~~or pays the fine.~~ On appearances ~~or payment of the~~
fine, ~~whichever was the basis for the suspension,~~ appearance and
36 on the condition of payment of a \$25 reinstatement fee to the
Secretary of State, the clerk, of the court in which the
38 suspension was ordered shall rescind the suspension and notify
the Secretary of State who, upon receipt of the \$25 reinstatement
40 fee, shall delete any record of the suspension from that person's
driving record.

42 Sec. 2. 29 MRSA §2301-B, as amended by PL 1991, c. 733, §9,
44 is further amended to read:

46 **§2301-B. Suspension for failure to appear or answer in a traffic
infraction offense**

48 If a person fails to answer in any traffic infraction
50 proceeding under Title 23, section 1980 or any traffic infraction
provision of this Title by the date specified in the Violation
Summons and Complaint, or fails to appear for trial ~~or pay a fine~~

2 assessed in any traffic infraction proceeding, the clerk shall
suspend the person's license or permit, right to operate a motor
4 vehicle in this State and the right to apply for or obtain a
license or permit.

6 If a person who is not an individual fails to appear, answer
or pay a fine in a traffic infraction proceeding, the clerk shall
8 suspend the registration of the motor vehicle involved in the
offense or that person's right to operate that vehicle in the
10 State.

12 The clerk shall immediately notify that person of the
suspension by regular mail or personal service. The suspension
14 has the same force and effect as a suspension by the Secretary of
State. The suspension remains in effect until the person answers
16 or appears, either in person or by counsel, ~~or pays the fine~~. On
answer, or appearance or payment of the fine, whichever was the
18 basis for the suspension, and on condition of payment of a \$25
reinstatement fee to the Secretary of State, the clerk of the
20 court in which the suspension was ordered shall rescind the
suspension and notify the Secretary of State who, upon receipt of
22 the \$25 reinstatement fee, shall delete any record of the
suspension from that person's driving record.

24 Written notice is sufficient if sent by regular mail to the
26 last known name and address provided by the person on the
Violation Summons and Complaint, written answer to a Violation
28 Summons and Complaint, a written pleading filed with the
violations bureau or, if the person has not so provided an
30 address, to the address shown on the Violation Summons and
Complaint, a copy of which has been served on the person. The
32 notice must also state that the license, permit or right to
operate will not be reinstated and the person may not operate a
34 motor vehicle before payment of the reinstatement fee as required
under section 2241-D.

36 Sec. 3. 29 MRSA §2301-C is enacted to read:

38 **§2301-C. Mandatory suspension for failure to pay fines within 30**
40 **days**

42 **1. Notice to Secretary of State.** If an operator fails to
pay within 30 days of judgment a fine imposed for a violation of
44 this Title, Title 23, section 1980 or Title 28-A, section 2052,
the clerk shall notify the Secretary of State of the outstanding
46 fine. The clerk shall include in the notice the operator's name,
identifying information from the operator's license or permit,
48 the last known address provided by the person and the date on
which the fine was imposed. The clerk shall submit the notice
50 regardless of any court order granting the operator more than 30
days to pay the fine.

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