

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

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Legislative Document

No. 84

S.P. 55

In Senate, January 17, 1995

**An Act to Increase the Minimum Fines Imposed Upon Persons Who  
Operate a Motor Vehicle After Their License Is Suspended.**

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Reference to the Committee on Criminal Justice suggested and ordered printed.

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS  
Secretary of the Senate

Presented by Senator BENOIT of Franklin.

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

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**Sec. 1. 29-A MRSA §2412, sub-§3,** as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

**3. Minimum mandatory sentences.** If the suspension was for an OUI offense, the court shall impose a fine of not less than ~~\$350~~ **\$700**, a period of incarceration of not less than 7 consecutive days, and a mandatory suspension of license of not less than one year nor more than 3 years consecutive to the original suspension. If the court fails to suspend, the Secretary of State shall impose the minimum one-year suspension and may impose up to 3 years of suspension.

For all other suspensions, if the person has one or more prior convictions for violating this section within a 6-year period, the minimum fine is ~~\$200~~ **\$500**.

The minimum mandatory sentence applies only if the offense occurred during the original period of suspension or an extension by the Secretary of State, but not during an extension of the original suspension imposed to compel compliance with conditions for the restoration of a license or for failure to pay a reinstatement fee.

**STATEMENT OF FACT**

This bill increases to \$700 the minimum mandatory fine imposed on a person operating a motor vehicle whose license has been suspended for operating under the influence. For other persons who operate a motor vehicle following suspension, and who have a prior conviction for operating after suspension, the fine is increased to \$500.