

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 248

H.P. 189

House of Representatives, January 27, 1995

**An Act to Amend the Law Regarding the Administrative Suspension of a
Driver's License for Operating under the Influence.**

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative THOMPSON of Naples.

Cosponsored by Representative: GATES of Rockport, Senator: HANLEY of Oxford.

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

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Sec. 1. 29-A MRSA §2483, sub-§4, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

4. Stay. Any stay must continue until a decision is issued. Notwithstanding any other provision to the contrary, a stay does not apply during a delay caused or requested by the petitioner, except that, if the petitioner or the petitioner's attorney is unable to attend the hearing due to circumstances beyond the petitioner's control of the petitioner or the petitioner's attorney, the Secretary of State may continue, one time only, the stay of suspension. The petitioner or the petitioner's attorney must submit to the Secretary of State a written request for delay, or an electronically transmitted facsimile of a written request for delay, stating the circumstances, at least 24 hours before the scheduled hearing. A request for a hearing does not stay a suspension unless specifically provided for in this chapter.

STATEMENT OF FACT

This bill authorizes the Secretary of State to continue a stay of suspension of a petitioner's driver's license if the petitioner's attorney is unable to attend a hearing on administrative suspension due to circumstances beyond the attorney's control.