MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 322

H.P. 258

House of Representatives, January 23, 1997

An Act to Require the Secretary of State to Revoke the Driver's License of a Person Involved in a Fatal Accident while Committing a Violation of the Maine Revised Statutes, Title 29-A.

Reference to the Committee on Transportation suggested and ordered printed.

SEPH W. MAYO, Clerk

Presented by Representative McALEVEY of Waterboro.

Cosponsored by Representatives: CLUKEY of Houlton, LOVETT of Scarborough, MACK of

Standish, NASS of Acton, USHER of Westbrook, Senator: BENOIT of Franklin.

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

- Sec. 1. 29-A MRSA §2458, sub-§1, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:
- 1. Suspension or revocation after hearing. The Secretary of State, after hearing, may suspend or revoke a certificate of title, certificate of registration, license, fuel use decal or operating authority license for any cause considered by the Secretary of State to be sufficient.
- Unless a longer period of suspension is otherwise authorized or required, when the basis of suspension is that the operator of a motor vehicle caused the death of another person while engaged in conduct that is a violation under this Title, the period of suspension is 3 years. If a suspended license is subsequently revoked under section 2454 on charges arising from the same occurrence, the length of suspension under this section is deducted from the period of revocation under that section.

22 SUMMARY

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24 Currently, the Secretary of State has discretionary authority to administratively suspend a driver's license for good This bill sets a 3-year license suspension period, 26 consistent with the 3-year administrative suspension period for 28 OUI-related homicides, when the driver has caused the death of another person while engaged in conduct that is a violation of any provision of the Maine Revised Statutes, Title 29-A, even if 30 the driver was not under the influence.