MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 918

H.P. 666

House of Representatives, February 11, 1997

An Act to Increase the Penalties for Criminal OUI for Persons Previously Convicted of Vehicular Manslaughter.

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

OSEPH W. MAYO, Clerk

Presented by Representative COWGER of Hallowell. Cosponsored by Senator KILKELLY of Lincoln and Representatives: JONES of Greenville, MERES of Norridgewock, QUINT of Portland, SAVAGE of Union, SHIAH of Bowdoinham, STANLEY of Medway, WATSON of

Farmingdale, Senator: TREAT of Kennebec.

	De it enacted by the reopie of the State of Manie as follows.
2	Sec. 1. 29-A MRSA §2411, sub-§5, ¶D, as amended by PL 1995, c.
4	645, Pt. B, §18, is further amended to read:
6	D. For a person having 3 or more previous OUI offenses within a 10-year period or a previous conviction for
8	manslaughter based upon the operation of a motor vehicle, which is a Class C crime:
10	
12	(1) A fine of not less than \$2,000, except that if the person failed to submit to a test at the request of a law enforcement officer, a fine of not less than \$2,400;
14	
16	(2) A period of incarceration of not less than 6 months, except that if the person failed to submit to a test at the request of a law enforcement officer, a
18	period of incarceration of not less than 6 months and 20 days;
20	
22	(3) A court-ordered suspension of a driver's license for a period of 6 years; and
24	(4) In accordance with section 2416, a court-ordered suspension of the person's right to register a motor
26	vehicle;
28	
30	SUMMARY
32	This bill increases the range of sentences a judge may give for criminal OUI when sentencing a person previously convicted of
34	manslaughter involving the operation of a motor vehicle. A person who commits the offense of criminal OUI after a prior
36	manslaughter conviction involving the use of a motor vehicle is now subject to the same range of penalties as persons with 3 or
38	more prior OUI offenses in a 10-year period.

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