

MAINE STATE LEGISLATURE

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CRIMINAL JUSTICE

Reported by: *Senator Murray*

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STATE OF MAINE
SENATE
118TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to S.P. 496, L.D. 1527, Bill, "An Act to Authorize a Police Officer to Impound the Motor Vehicle of a Person Arrested for Operating Under the Influence or Driving with a Suspended or Revoked License"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 29-A MRSA §2422, as enacted by PL 1995, c. 368, Pt. AAA, §14, is repealed and the following enacted in its place:

§2422. Impoundment of motor vehicles for OUI

1. Impoundment of vehicle. A motor vehicle may be seized if it is used by a person arrested for a violation of:

A. Section 2411; or

B. Section 2412-A, when the suspension or revocation was for OUI or an OUI offense.

2. Storage. If a motor vehicle is seized, it must be held in secure storage by the seizing agency or at the direction of the arresting law enforcement officer.

3. Release of vehicle. The motor vehicle may be released after at least an 8-hour period and payment of any towing and storage fees.'

Further amend the bill by inserting at the end before the summary the following:

COMMITTEE AMENDMENT

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FISCAL NOTE

The Department of Public Safety may be required to pay some additional towing and storing charges for impounded vehicles. These minor additional costs can be absorbed within the department's existing budgeted resources.

The additional workload and administrative costs associated with the minimal number of impoundment cases filed in the court system can be absorbed within the budgeted resources of the Judicial Department.'

SUMMARY

This amendment replaces the bill. Currently, a vehicle may be impounded if it was used by a person arrested for OUI. The amendment states that a vehicle may also be impounded if it was used by a person arrested for driving with a suspended or revoked license when the suspension or revocation was for OUI or an OUI offense.