

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST SPECIAL SESSION-1997

Legislative Document

No. 1789

H.P. 1262

House of Representatives, April 15, 1997

An Act Regarding Illegal Transportation of Drugs by a Minor.

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

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative BODWELL of Brunswick.
Cosponsored by Senator HARRIMAN of Cumberland and
Representatives: BOLDUC of Auburn, DRISCOLL of Calais, LEMONT of Kittery,
LINDAHL of Northport, TUTTLE of Sanford, WHEELER of Bridgewater, WHEELER of
Eliot, Senator: JENKINS of Androscoggin.

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

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4 Sec. 1. 29-A MRSA §2463 is enacted to read:

6 §2463. Illegal transportation of drugs or marijuana by minors

8 1. Definition. Notwithstanding section 101, subsection 34,
10 as used in this section, unless the context otherwise indicates,
the term "minor" means a person who has not attained 21 years of
age.

12 2. Minor may not transport drugs or marijuana. A minor may
14 not knowingly transport or knowingly permit to be transported any
drugs or marijuana in a motor vehicle under the minor's control.

16 3. Violation. Any minor who violates this section commits
18 a civil violation for which a forfeiture may be adjudged of not
more than \$500. A forfeiture must be adjudged of not less than
20 \$200 for a 2nd offense and not less than \$400 for a 3rd or
subsequent offense, none of which may be suspended.

22 4. Court shall suspend license. The court shall suspend
24 the operator's license or right to operate a motor vehicle, or
right to obtain a license, of a minor found in violation of this
section as follows:

26 A. Thirty days for the first offense;

28 B. Ninety days for the 2nd offense; and

30 C. One year for any subsequent offense.

32 In the case of a license suspension, the court shall immediately
34 forward the license to the Secretary of State together with the
record of adjudication.

36 5. Secretary of State shall suspend license. Immediately
38 upon receipt of the record, the Secretary of State shall suspend
the license or right to operate a motor vehicle, or right to
40 obtain a license, of the minor for the required period, without
further hearing. The Secretary of State shall also assign
42 demerit points according to section 2458, subsection 3.

44 6. Penalty. The penalties provided in this section are not
46 in conflict with Title 15, Part 6.

48 7. Execution of suspension stayed during appeal. If any
person adjudicated to be in violation of this section appeals
50 from the judgment of the trial court, the execution of any
suspension imposed on that person's license, right to obtain a

2 license and right to operate a motor vehicle in the State must be
3 stayed pending appeal and begins when and if the judgment is
4 upheld or the appeal is withdrawn.

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SUMMARY

8 This bill provides similar penalties for a minor who is
9 found to have transported drugs or marijuana as for a minor who
10 is found to have transported alcohol. These penalties include a
11 fine and a mandatory operator's license suspension.

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