

MAINE STATE LEGISLATURE

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CRIMINAL JUSTICE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1321, L.D. 1870, Bill, "An Act to Amend Criminal OUI Penalties Concerning Suspension of a Motor Vehicle Driver's License"

Amend the bill by striking out the title and substituting the following:

'An Act Concerning the Coded Notation on OUI Offenders' Driver's Licenses'

Further 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 §1404, sub-§2, as amended by PL 1997, c. 318, §1, is further amended to read:

2. Prior convictions. A person convicted of operating under the influence of intoxicating liquor or drugs or with an excessive blood-alcohol level, as defined in section 2453, subsection 2, within 10 years of the date the license is issued, reissued or returned after a period of suspension bears a coded notation of that fact.

The Secretary of State may, at the request of a licensee, remove the coded notation from the license of a person convicted for a first operating-under-the-influence offense as defined in section 2453, subsection 2 after 6 years from the date of the conviction if the person has not been convicted or adjudicated of any traffic offense of speeding more than 15 miles per hour over the maximum speed limit or any offense described under section 2551, subsection 1 or had a license suspended or revoked within that 6-year period.'

COMMITTEE AMENDMENT

R. W. S.

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SUMMARY

The amendment replaces the bill. Current law allows a licensee with one operating-under-the-influence conviction to petition the Secretary of State to remove the coded notation from that licensee's license 6 years after the date of the conviction if the licensee has not been convicted or adjudicated of any other traffic offense within that 6-year period. The amendment specifies that the Secretary of State may not remove the coded notation if the licensee has been convicted or adjudicated of the offense of speeding more than 15 miles per hour over the maximum speed limit or any offense described under the habitual offender law, the Maine Revised Statutes, Title 29-A, section 2551, subsection 1 or had a license suspended or revoked within that 6-year period.