

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 242

S.P. 103

In Senate, January 11, 1999

**An Act to Inform Traffic Violators in Court of Potential Parallel
Administrative Sanctions.**

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator MICHAUD of Penobscot.
Cosponsored by Representative: STANLEY of Medway.

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

4 **Sec. 1. 29-A MRSA §2436 is enacted to read:**

6 **§2436. Information about administrative action**

8 At the time of sentencing a person who is convicted of any
10 violation under this Title, the court shall inform that person of
12 any potential administrative penalties that the Secretary of
14 State may impose on that person for the offense charged in the
Violation Complaint and Summons. The court shall inform the
person of the potential administrative sanction for the offense
charged in the complaint even if the court has convicted and
sentenced the person to a different offense and sanction.

16

18 **SUMMARY**

20 Under current motor vehicle law, there are 2 processes, one
22 judicial and one administrative, for the adjudication of motor
24 vehicle and traffic offenses. These processes operate parallel
26 with each other and often both are set in motion upon the
28 issuance of a Violation Complaint and Summons by a law
30 enforcement officer. If the person charged plea bargains in
32 court, the person may be convicted of a lesser or different
violation with a lesser sanction than that charged in the
complaint while the person still must face the original
administrative sanction. This bill requires a court at
sentencing to inform a person convicted under the motor vehicle
laws if there is a potential pending companion administrative
sanction and, if so, what that administrative sanction may be.