

MAINE STATE LEGISLATURE

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DATE: 5-12-99

(Filing No. H-574)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 209, L.D. 287, Bill, "An Act to Impose Stricter OUI Penalties on Operators of Watercraft, ATVs and Snowmobiles"

Amend the amendment by inserting after the first indented paragraph after the title and before section 1 the following:

'Sec. 1. 12 MRSA §7827, sub-§9, as amended by PL 1995, c. 679, §6, is further amended to read:

9. Operating a snowmobile while under the influence of intoxicating liquor or drugs. A Except if a person is operating a snowmobile on property that is owned by that person and upon which that person resides, a person commits the crime of operating a snowmobile while under the influence of intoxicating liquor or drugs if that person operates or attempts to operate any snowmobile:

A. While under the influence of intoxicating liquor or drugs or a combination of liquor and drugs;

B. For a person 21 years of age or older, while having 0.08% or more by weight of alcohol in that person's blood; or

C. For a person less than 21 years of age, while having any amount of alcohol in the blood.

Operating a snowmobile while under the influence of intoxicating liquor or drugs is a Class D crime.

Sec. 2. 12 MRSA §7857, sub-§10, as amended by PL 1995, c. 679, §9, is further amended to read:

HOUSE AMENDMENT

10. **Operating an ATV while under the influence of intoxicating liquor or drugs.** A Except if a person is operating an ATV on property that is owned by that person and upon which that person resides, a person commits the crime of operating an ATV while under the influence of intoxicating liquor or drugs if that person operates or attempts to operate any ATV:

A. While under the influence of intoxicating liquor or drugs or a combination of liquor and drugs;

B. For a person 21 years of age or older, while having 0.08% or more by weight of alcohol in that person's blood; or

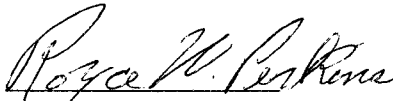
C. For a person less than 21 years of age, while having any amount of alcohol in the blood.

Operating an ATV while under the influence of intoxicating liquor or drugs is a Class D crime.'

Further amend the amendment by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

Current law prohibits operating an ATV or snowmobile while under the influence of drugs or alcohol. This bill exempts from that prohibition, and from the enhanced penalties proposed by the bill as amended by Committee Amendment "A," persons who operate an ATV or snowmobile on land owned by that person if the person resides on that property.

SPONSORED BY: 
(Representative PERKINS)

TOWN: Penobscot