

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1221

H.P. 907

House of Representatives, February 28, 2001

An Act to Prevent Theft of Motor Fuels.

Reference to the Committee on Transportation suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative WINSOR of Norway.
Cosponsored by Senator FERGUSON of Oxford and
Representatives: CLOUGH of Scarborough, SCHNEIDER of Durham, Senator: President Pro
Tem BENNETT of Oxford.

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

4 **Sec. 1. 29-A MRSA §2419** is enacted to read:

6 **§2419. Theft of motor fuels by driving away**

8 **1. Definition.** A person commits a Class E crime if the
10 person places motor fuel in the person's vehicle at a retail fuel
12 outlet and with intent to deprive the owner of the value of the
14 motor fuel leaves the retail fuel outlet without paying for the
motor fuel. As used in this subsection, "retail fuel outlet"
means a place at which gasoline or diesel fuel is stored and
supplied to the public.

16 **2. Penalties.** In addition to any other penalty, the court
18 shall suspend the person's license for not less than 30 days nor
20 more than 180 days, which minimum may not be suspended. If the
court fails to suspend the license, the Secretary of State shall
impose the minimum period of suspension.

22 **3. Notice.** The court shall give notice of the suspension and
24 take physical custody of a driver's license as provided in
section 2434.

26 **SUMMARY**

28 Current law prohibits theft; if the value of the property or
30 services stolen does not exceed \$1,000, the theft is a Class E
crime.

32 This bill creates a new crime of theft of motor fuel by
34 driving away to prohibit a person from putting motor fuel into
the person's vehicle and then leaving the retail fuel outlet
36 without paying for the fuel. In addition to the penalties
imposed as a Class E crime, the court is required to suspend the
38 person's driver's license for at least 30 days but not more than
180 days.