

# MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
120TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 425, L.D. 1380, Bill, "An Act Regarding Uninsured Drivers"

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 §1601, sub-§§5-A and 6-A are enacted to read:

5-A. Additional fines. In addition to any other penalties for violation of this section, a person who is:

A. Stopped for a routine motor vehicle violation and fails to produce evidence of liability insurance or financial responsibility may be assessed a \$500 fine in addition to the fine assessed for the violation cited;

B. Arrested for operating a motor vehicle under the influence of intoxicating liquor or drugs and fails to produce evidence of liability insurance or financial responsibility may be assessed a \$1,000 fine in addition to the penalties for operating under the influence of alcohol or drugs; or

C. Involved in a vehicular accident and fails to produce evidence of liability insurance or financial responsibility may be assessed a \$1,000 fine and shall pay restitution to the injured party for damages not covered by the injured party's insurance.

Fines imposed by this subsection accrue to the Highway Fund.

2 6-A. Suspension; accident. The Secretary of State shall  
suspend the license of an uninsured person who is determined to  
4 be at fault in a motor vehicle accident and causes damage to  
another vehicle or a person until the uninsured person has paid  
6 for the damage caused to the other motor vehicle or person.

8 **Sec. 2. 29-A MRSA §1601-A** is enacted to read:

10 **§1601-A. Notification of cancellation of insurance**

12 1. Notice to Secretary of State required. A company  
insuring a motor vehicle registered in this State shall  
14 immediately notify the Secretary of State when that insurance  
coverage is cancelled or terminated or lapses. If the company  
16 knows that a replacement policy has been secured in place of the  
policy cancelled, terminated or lapsed, the company is not  
18 required to notify the Secretary of State.

20 2. Method of notification. The notice must be in writing  
and may be transmitted by facsimile or by other electronic means  
22 as prescribed by the Secretary of State.

24 3. Content of notice. The notice must include the  
following:

26 A. Name, address and date of birth of the owner or owners  
of the motor vehicle; and

28 B. Vehicle identification number.

30 4. Suspension. Upon receipt of notice provided in  
32 subsection 1, the Secretary of State shall suspend, within 30  
days and in accordance with section 2482, the owner's  
34 registration certificate and plates for that motor vehicle. The  
36 suspension continues until that person provides evidence of  
insurance to the Secretary of State.

38 **Sec. 3. Allocation.** The following funds are allocated from the  
Highway Fund to carry out the purposes of this Act.

	2001-02	2002-03
<b>SECRETARY OF STATE, DEPARTMENT OF</b>		
<b>Bureau of Motor Vehicles</b>		
Positions	(12,000)	(12,000)
Personal Services	\$318,960	\$510,391
All Other	102,394	30,607

2 Allocates funds for one  
Hearings Examiner position,  
4 one Clerk Typist IV position,  
4 4 Clerk Typist III positions,  
4 4 Clerk Typist II positions,  
6 2 Data Entry Specialist  
positions and operating costs  
8 necessary to administer a  
driver's license suspension  
10 and reinstatement process.

12 **DEPARTMENT OF SECRETARY OF STATE**  
13 **TOTAL** \$421,354 \$540,998'

14 Further amend the bill by inserting at the end before the  
16 summary the following:

18 **FISCAL NOTE**

20 **2001-02** **2002-03**

22 **APPROPRIATIONS/ALLOCATIONS**

24 Other Funds \$421,354 \$540,998

28 **REVENUES**

30 Other Funds \$1,983,764 \$2,644,970

32 The reinstatement of driver's licenses for persons suspended  
34 for driving an uninsured motor vehicle and for those involved in  
an accident while driving an uninsured motor vehicle, as well as  
36 the fines collected for these offenses, will increase Highway  
Fund revenue collected by the Bureau of Motor Vehicles within the  
38 Department of the Secretary of State by \$1,983,764 and \$2,644,970  
in fiscal years 2001-02 and 2002-03, respectively.

40 This bill includes Highway Fund allocations of \$421,354 and  
42 \$540,998 in fiscal years 2001-02 and 2002-03, respectively, for  
the Bureau of Motor Vehicles within the Department of the  
44 Secretary of State to cover the cost of one Hearings Examiner  
position, one Clerk Typist IV position, 4 Clerk Typist III  
46 positions, 4 Clerk Typist II positions, 2 Data Entry Specialist  
positions and operating costs necessary to administer a driver's  
48 license suspension and reinstatement process.'

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## SUMMARY

4           This amendment replaces the bill and requires that an  
6           insurer of a motor vehicle registered in Maine notify the  
8           Secretary of State when the insurance on that motor vehicle is  
10          cancelled or terminated or lapses. The Secretary of State is  
            required to suspend the motor vehicle owner's registration  
            certificate and plates until the owner provides evidence of  
            insurance to the Secretary of State.

12          The amendment establishes a fine of \$500 if a person is  
14          stopped for a routine motor vehicle violation, \$1,000 if a person  
16          is arrested for OUI and \$1,000 plus restitution if a person is  
            involved in a vehicular accident and fails to produce evidence of  
            liability insurance or financial responsibility.

18          The amendment also authorizes the Secretary of State to  
20          suspend the license of an uninsured person who is determined to  
22          be at fault in a motor vehicle accident and causes damage to  
            another vehicle or a person until the uninsured person has paid  
            for the damage caused to the other motor vehicle or person.

24          The amendment also adds an allocation section and a fiscal  
26          note to the bill.