

MAINE STATE LEGISLATURE

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L.D. 1456

DATE: 5-10-01

(Filing No. H-409)

MAJORITY
TRANSPORTATION

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
FIRST REGULAR SESSION

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20 COMMITTEE AMENDMENT "A" to H.P. 1087, L.D. 1456, Bill, "An
Act Relating to Restricted Licenses for Certain Drivers"

22 Amend the bill by striking out everything after the enacting
24 clause and before the summary and inserting in its place the
following:

26 'Sec. 1. 29-A MRSA §2501-A is enacted to read:

28 §2501-A. Restricted license for multiple OUI offender

30 1. Eligibility. Unless otherwise provided by law, the
32 Secretary of State may issue a restricted license to a person
with more than one OUI conviction if:

34 A. Two-thirds of the suspension period has expired; and

36 B. The Secretary of State has received notice that the
38 person has:

40 (1) Committed no motor vehicle offenses since the
imposition of the suspension;

42 (2) Completed the alcohol and drug program as defined
44 in section 2401, subsection 1;

COMMITTEE AMENDMENT

(3) Executed an affidavit attesting to at least 3 concurrent years of abstinence from intoxicants; and

(4) Completed at least 2 years of volunteer work in substance abuse at a county jail, a hospital or other institution.

2. Restrictions. A restricted license issued pursuant to subsection 1 is subject to the following conditions and restrictions:

A. Use is limited to traveling to and from a treatment program or to employment for the remaining term of the original suspension; and

B. Any other conditions or restrictions the Secretary of State considers advisable for the safety of the public and the welfare of the operator.'

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

FISCAL NOTE

The Bureau of Motor Vehicles within the Department of the Secretary of State will incur some minor additional costs to issue certain restricted driver's licenses. These costs can be absorbed within the bureau's existing budgeted resources.'

SUMMARY

This amendment replaces the bill and gives the Secretary of State discretion to issue a restricted license to a multiple OUI offender. The restricted license is not available until 2/3 of the suspension period has expired and the Secretary of State has received notice that the person has committed no motor vehicle offenses since the imposition of the suspension; has completed the alcohol and drug program as defined in the Maine Revised Statutes, Title 29-A, section 2401, subsection 1; has executed an affidavit attesting to at least 3 concurrent years of abstinence from intoxicants; and has completed at least 2 years of volunteer work in substance abuse at a county jail, a hospital or other institution.

Restrictions on the license must include that the license may be used only to travel to and from a treatment program or to employment for the remaining term of the original suspension. The Secretary of State may also consider any other conditions or restrictions advisable for the safety of the public or welfare of the operator. It also adds a fiscal note to the bill.