

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1456

H.P. 1087

House of Representatives, March 8, 2001

An Act Relating to Restricted Licenses for Certain Drivers.

Reference to the Committee on Transportation suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative SAVAGE of Buxton.

Cosponsored by Representatives: NORBERT of Portland, PERRY of Bangor, SMITH of Van Buren, WHEELER of Eliot.

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

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

§2501-A. Restricted license for multiple OUI offender

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

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

B. The Secretary of State has received notice that that person has completed the alcohol and drug program.

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 a treatment program or to employment for a minimum of 18 months after the original suspension date; 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.

SUMMARY

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This bill gives the Secretary of State discretion to issue a restricted license to a person whose license is suspended for a 2nd or subsequent OUI offense. The restricted license is not available until the person has completed at least 2/3 of the suspension period and has completed the alcohol and drug program. The restrictions must include that the license may be used only to travel between home and employment or a treatment program for a minimum of 18 months, the period of time of the suspension period for 2nd OUI offenses, from the original suspension date. The Secretary of State may also impose any other restrictions that are advisable for the safety of the public or welfare of the operator.