

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 462

S.P. 149

In Senate, February 1, 2005

An Act To Make the 3rd Violation of OUI a Class C Crime

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator MITCHELL of Kennebec.
Cosponsored by Representative: GERZOFKY of Brunswick.

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

4 **Sec. 1. 29-A MRSA §2411, sub-§5, ¶C,** as amended by PL 2003, c.
673, Pt. TT, §4, is further amended to read:

6 C. For a person having 2 previous OUI offenses within a
8 10-year period, which is a Class C crime:

10 (1) A fine of not less than \$1,100, except that if the
12 person failed to submit to a test at the request of a
law enforcement officer, a fine of not less than \$1,400;

14 (2) A period of incarceration of not less than 30
16 days, except that if the person failed to submit to a
test at the request of a law enforcement officer, a
period of incarceration of not less than 40 days;

18 (3) A court-ordered suspension of a driver's license
20 for a period of 4 years; and

22 (4) In accordance with section 2416, a court-ordered
24 suspension of the person's right to register a motor
vehicle;

26 **SUMMARY**

28 This bill increases the class of crime of a 3rd OUI offense
within a 10-year period from Class D to Class C.