

# MAINE STATE LEGISLATURE

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# 122nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

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Legislative Document

No. 627

H.P. 460

House of Representatives, February 8, 2005

### **An Act To Require Notification prior to Suspension of a Driver's License for a Nonmotor Vehicle Violation**

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Reference to the Committee on Judiciary suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative DUPLESSIE of Westbrook.  
Cosponsored by Senator STRIMLING of Cumberland and  
Representatives: COLLINS of Wells, MARLEY of Portland, McKENNEY of Cumberland,  
PATRICK of Rumford, SAMPSON of Auburn, Senators: BARTLETT of Cumberland,  
BROMLEY of Cumberland, HOBBS of York.

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

4 **Sec. 1. 14 MRSA §3142, sub-§2,** as amended by PL 2003, c. 193,  
§3, is further amended to read:

6 **2. Notification of issuing entity and person.** Upon  
7 suspension of the person's license, certification, registration,  
8 permit, approval or other similar document evidencing the  
9 granting of authority to hunt, fish or trap or to engage in a  
10 profession, occupation, business or industry, the court shall  
11 notify the person and the issuing agency that the court has  
12 ordered the suspension. The issuing agency shall immediately  
13 record the suspension except that, in the case of a suspension of  
14 a driver's license or right to operate a motor vehicle, if the  
15 suspension results from the nonpayment of a fine that is not  
16 related to the operation of a motor vehicle, the suspension may  
17 not take effect until 60 days after the mailing of the notice.  
18 The court shall immediately notify that person by regular mail or  
19 personal service. Written notice is sufficient if sent to the  
20 person's last known address.

22 **Sec. 2. 19-A MRSA §2603-A, sub-§1,** as enacted by PL 1997, c.  
23 466, §26 and affected by §28, is amended to read:

24 **1. Suspension of driver's license.** Suspension of the  
25 obligor's driver's license or licenses and right to operate a  
26 motor vehicle except that the suspension may not take effect  
27 until 60 days after notice is provided to the obligor by the  
28 Secretary of State;

30 **Sec. 3. 29-A MRSA §2482, sub-§4,** as enacted by PL 1993, c.  
31 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

32 **4. Effective date.** A suspension or revocation is effective  
33 on the date specified by the Secretary of State on the notice,  
34 which may not be less than 10 days after the mailing of the  
35 notification of suspension by the Secretary of State except that,  
36 for suspensions made pursuant to Title 14, section 3142,  
37 subsection 2 that are not related to the operation of a motor  
38 vehicle and Title 19-A, section 2603-A, the suspension may not  
39 take effect until 60 days after the mailing of the notification  
40 of suspension.

44 **SUMMARY**

46 This bill prohibits a court or the Secretary of State from  
47 suspending the driver's license of a person for a reason not  
48

2 related to the operation of a motor vehicle, such as failure to pay child support or a civil fine, without providing 60 days' notice to the person.