

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 631

H.P. 480

House of Representatives, February 8, 2007

An Act To Strengthen OUI Laws As They Pertain to Drugs

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative CLEARY of Houlton.
Cosponsored by Senator SHERMAN of Aroostook and
Representatives: DILL of Cape Elizabeth, FAIRCLOTH of Bangor, GERZOFKY of
Brunswick, JOY of Crystal, PRIEST of Brunswick, SAMSON of Auburn, Senator:
COURTNEY of York.

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

2 **Sec. 1. 16 MRSA §357, 2nd ¶**, as amended by PL 2005, c. 477, §26, is further
3 amended to read:

4 Notwithstanding this section, the result of a laboratory or any other test kept by a
5 hospital or other medical facility that reflects blood-alcohol ~~concentration level~~,
6 detectable urine-drug level, and detectable blood-drug level may not be excluded as
7 evidence in a criminal or civil proceeding by reason of any claim of confidentiality or
8 privilege and may be admitted provided that the result is relevant and reliable evidence if
9 the proceeding is one in which the operator of a motor vehicle, snowmobile, all-terrain
10 vehicle or watercraft is alleged to have operated under the influence of intoxicating liquor
11 or drugs; and the court is satisfied that probable cause exists to believe that the operator
12 committed the offense charged.

13

SUMMARY

14 This bill adds makes the results of urine-drug level and blood-drug level hospital tests
15 admissible as evidence along with blood-alcohol level test results.