

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 856

S.P. 266

February 23, 2007

An Act To Reduce Drunk Driving

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 BROMLEY of Cumberland.
Cosponsored by Representative GERZOFKY of Brunswick, Senator PERRY of Penobscot,
Representatives: BERRY of Bowdoinham, FAIRCLOTH of Bangor, and
Senators: BARTLETT of Cumberland, NUTTING of Androscoggin, ROTUNDO of
Androscoggin, SCHNEIDER of Penobscot, SULLIVAN of York, TURNER of Cumberland,
Representatives: ADAMS of Portland, BERUBE of Lisbon, CRAVEN of Lewiston,
CROCKETT of Augusta, DUCHESNE of Hudson, GROSE of Woolwich, HAMPER of
Oxford, HOTHAM of Dixfield, JACKSON of Allagash, KNIGHT of Livermore Falls, PERRY
of Calais, RAND of Portland, SAVAGE of Falmouth, SIMPSON of Auburn, SIROIS of
Turner, TUTTLE of Sanford, WALCOTT of Lewiston, WEBSTER of Freeport, WEDDELL of
Frankfort.

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

2 **Sec. 1. 29-A MRSA §2401, sub-§5-A,** as repealed by PL 1999, c. 470, §27, is
3 reenacted to read:

4 **5-A. Ignition interlock device.** "Ignition interlock device" means a device that
5 connects a breath analyzer to a motor vehicle's ignition system. The analyzer monitors
6 the concentration of alcohol in the breath of any person who attempts to start the motor
7 vehicle by using the ignition system. The device prevents the vehicle from starting unless
8 the person provides a breath sample with a concentration of alcohol that is below a preset
9 level.

10 **Sec. 2. 29-A MRSA §2412-A, sub-§7** is enacted to read:

11 **7. Ignition interlock device.** As a condition of license reinstatement the Secretary
12 of State, pursuant to section 2508, may require a person subject to the minimum
13 mandatory sentencing provisions of subsection 3 to install in the motor vehicle the person
14 operates for a period of up to 2 years an ignition interlock device approved by the
15 Secretary of State.

16 **Sec. 3. 29-A MRSA §2508** is enacted to read:

17 **§2508. Ignition interlock device**

18 **1. Installation of ignition interlock device.** The Secretary of State may reinstate
19 the license of a person convicted of more than one violation of section 2411 prior to the
20 expiration of the total period of suspension if the person satisfies all other conditions for
21 license reinstatement and installs an ignition interlock device approved by the Secretary
22 of State in the motor vehicle the person operates under the following conditions.

23 A. The license of a person with 2 OUI offenses, convictions or adjudications may be
24 reinstated after one year if the person installs for a period of 6 months an ignition
25 interlock device approved by the Secretary of State in the motor vehicle the person
26 operates.

27 B. The license of a person with 3 OUI offenses, convictions or adjudications may be
28 reinstated after 2 years if the person installs for a period of 2 years an ignition
29 interlock device approved by the Secretary of State in the motor vehicle the person
30 operates.

31 C. The license of a person with 4 or more OUI offenses, convictions or adjudications
32 may be reinstated after 4 years if the person installs for a period of 4 years an ignition
33 interlock device approved by the Secretary of State in the motor vehicle the person
34 operates.

35 **2. Increased liability insurance requirement.** A person seeking early
36 reinstatement of a driver's license under this section must furnish proof of financial
37 responsibility demonstrating that the person has secured and will maintain an automobile
38 liability policy with the following limits:

1 approved ignition interlock device. An ignition interlock device is a device that connects
2 a breath analyzer to a motor vehicle's ignition system. The analyzer monitors the
3 concentration of alcohol in the breath of any person who attempts to start the motor
4 vehicle by using the ignition system. The device prevents the vehicle from starting unless
5 the person provides a breath sample with a concentration of alcohol that is below a preset
6 level.