

MAINE STATE LEGISLATURE

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L.D. 1948

Date: 2/11/8

(Filing No. H-673)

Majority
TRANSPORTATION

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
123RD LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1384, L.D. 1948, Bill, "An Act To Require a Hearing When a Fatality Results from a Motor Vehicle Accident"

Amend the bill by striking out the title and substituting the following:

'An Act To Establish a Minimum Suspension for Negligent Operation When a Fatality Results from a Motor Vehicle Accident'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 29-A MRSA §2458, sub-§2-A is enacted to read:

2-A. Minimum suspension for negligent operation. The Secretary of State without preliminary hearing shall suspend for a period of at least 3 years a person's license if the Secretary of State, based on the Secretary of State's records or other sufficient evidence, finds that person to have recklessly or negligently operated a motor vehicle in a manner so as to cause the death of another person. Prior to the determination and issuance of the suspension, the Secretary of State shall notify any family of the victim and shall consider written or oral statements received from the family in response to the notice. Upon suspending the person's license, the Secretary of State shall notify that person of an opportunity for hearing as provided in section 2483.'

SUMMARY

This amendment replaces the bill and requires the Secretary of State to suspend a person's license for a period of at least 3 years if the Secretary of State, based on the Secretary of State's records or other sufficient evidence, finds that person to have recklessly or negligently operated a motor vehicle in a manner so as to cause the death of another person. The amendment obligates the Secretary of State to notify any family of the victim prior to the determination and the issuance of the suspension and to consider

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to H.P. 1384, L.D. 1948

1 oral and written statements received from the family in response to the notice. This
2 amendment is the majority report of the Joint Standing Committee on Transportation.

3 **FISCAL NOTE REQUIRED**
4 **(See attached)**



Approved: 02/05/08 *MAC*

123rd MAINE LEGISLATURE

LD 1948

LR 3343(02)

An Act To Require a Hearing When a Fatality Results from a Motor Vehicle Accident

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Transportation

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Costs associated with suspension of a person's license and notification of the family of the victim can be absorbed within existing resources of the Bureau of Motor Vehicles.