

MAINE STATE LEGISLATURE

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CRIMINAL JUSTICE AND PUBLIC SAFETY

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STATE OF MAINE

SENATE

124TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 66, L.D. 180, Bill, "An Act To Make Technical Corrections to the Operating Under the Influence Laws"

Amend the bill by inserting after the title and before the enacting clause the following:

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, it is in the best interest of the public safety and drivers to make motor vehicle license suspension provisions in the ignition interlock laws consistent with all other administrative suspensions by the Secretary of State; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,'

Amend the bill by inserting after section 3 the following:

Sec. 4. 29-A MRSA §2508, sub-§1, as enacted by PL 2007, c. 531, §6 and affected by §10, is amended to read:

1. Installation of ignition interlock device. Notwithstanding the periods of suspension pursuant to section 2411 or 2451, subsection 3, the Secretary of State may reinstate the license of a person convicted of more than one violation of section 2411 or whose license is suspended by the Secretary of State pursuant to section 2453 if the person satisfies all other conditions for license reinstatement and installs an ignition interlock device approved by the Secretary of State in the motor vehicle the person operates, under the following conditions.

A. The license of a person with 2 OUI offenses may be reinstated after 9 months of the suspension period has run if the person has installed for a period of 2 years an ignition interlock device approved by the Secretary of State in the motor vehicle the person operates.

COMMITTEE AMENDMENT

1088

1 B. The license of a person with 3 OUI offenses may be reinstated after 3 years of the
2 suspension period has run if the person has installed for a period of 3 years an
3 ignition interlock device approved by the Secretary of State in the motor vehicle the
4 person operates.

5 C. The license of a person with 4 or more OUI offenses may be reinstated after the
6 expiration of the period of suspension if the person has installed for a period of 4
7 years an ignition interlock device approved by the Secretary of State in the motor
8 vehicle the person operates.'

9 Amend the bill by inserting after section 5 the following:

10 '**Sec. 6. Retroactivity.** This Act applies retroactively to September 1, 2008.

11 **Emergency clause.** In view of the emergency cited in the preamble, this
12 legislation takes effect when approved.'

13 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
14 section number to read consecutively.

15 **SUMMARY**

16 This amendment specifies that ignition interlock provisions apply to administrative
17 motor vehicle license suspensions by the Secretary of State, as well as to court-ordered
18 suspensions. The amendment also adds an emergency preamble and clause and makes
19 the changes retroactive to September 1, 2008 when the ignition interlock law, Public Law
20 2007, chapter 531, took effect.