

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 1090

S.P. 323

In Senate, March 15, 2011

**An Act To Allow a Stay of an Administrative License Suspension for
Refusal To Submit to a Test**

Reference to the Committee on Transportation suggested and ordered printed.

Joseph G. Carleton Jr.

JOSEPH G. CARLETON, JR.
Secretary of the Senate

Presented by Senator GERZOFSKY of Cumberland.

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

2 **Sec. 1. 29-A MRS §2483, sub-§4-A** is enacted to read:

3 **4-A. Stay after failure to submit to test.** When a hearing is requested by a
4 petitioner under this section and the petitioner is not entitled to a stay of the suspension
5 pending the hearing due to failure to submit to a test at the request of a law enforcement
6 officer, if the hearing is postponed or otherwise continued by a person other than the
7 petitioner or a cause not attributable to the petitioner, the suspension must be stayed until
8 a hearing is held and a decision is issued.

9 **SUMMARY**

10 This bill requires a stay of suspension of a driver's license pending a hearing on the
11 suspension by the Secretary of State for a person who is not entitled to a stay due to
12 refusing to submit to a sobriety test if the hearing is postponed or otherwise continued by
13 someone else or for a cause not attributable to the person.