

# MAINE STATE LEGISLATURE

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# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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Legislative Document

No. 1363

H.P. 1002

House of Representatives, March 30, 2011

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**An Act Regarding the Publication of Information Related to Persons  
Convicted of Operating under the Influence of Alcohol or Drugs**

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

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Clerk

Presented by Representative CEBRA of Naples.  
Cosponsored by Senator COLLINS of York and  
Representatives: CHASE of Wells, CURTIS of Madison, HANLEY of Gardiner, McKANE of  
Newcastle, PLUMMER of Windham, SARTY of Denmark, WILLETTE of Mapleton,  
WILLETTE of Presque Isle.

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

2 **Sec. 1. 29-A MRSA §2411, sub-§7**, as amended by PL 2009, c. 447, §42, is  
3 further amended to read:

4 **7. Surcharge.** A surcharge must be charged for a conviction under this section. The  
5 surcharge is ~~\$30~~ \$55, except that, when the person operated or attempted to operate a  
6 motor vehicle while under the influence of drugs or a combination of liquor and drugs,  
7 the surcharge is ~~\$125~~ \$150. For the purposes of collection procedures, the surcharge is  
8 considered a fine. Notwithstanding section 2602, ~~this~~ §25 of this surcharge must be paid  
9 to the Department of Public Safety, State Bureau of Identification to pay for the cost of  
10 carrying out Title 34-A, section 11301, and the remainder of the surcharge accrues to the  
11 Highway Fund for the purpose of covering the costs associated with the administration  
12 and analysis of alcohol level tests.

13 **Sec. 2. 34-A MRSA c. 17** is enacted to read:

14 **CHAPTER 17**

15 **PUBLICATION OF INFORMATION RELATING TO ALCOHOL AND DRUG**  
16 **CONVICTIONS**

17 **§11301. Publication of information relating to a conviction of operating under the**  
18 **influence**

19 **1. Publication required.** The Department of Public Safety, State Bureau of  
20 Identification, referred to in this section as "the bureau," shall publish on the publicly  
21 accessible website of the State the following information regarding a conviction for or a  
22 plea of no contest to an offense under Title 29-A, section 2411:

23 A. The name of the defendant;

24 B. The municipality of residence of the defendant;

25 C. The offense;

26 D. The date of the offense;

27 E. The location of the offense;

28 F. The blood-alcohol level of the defendant or the drug used by the defendant; and

29 G. A photograph of the defendant.

30 The bureau shall provide a link to this information on the home page of the publicly  
31 accessible website of the State. The bureau shall update this information at least once per  
32 month.

33 **2. Time limit.** The bureau shall publish the information described in subsection 1  
34 for 6 months for a first offense, 2 years for a 2nd offense and 10 years for a 3rd offense.

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## **SUMMARY**

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This bill requires the Department of Public Safety, State Bureau of Identification to

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publish information on the website of the State related to persons pleading no contest to

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or convicted of operating under the influence of alcohol or drugs to be paid for by a \$25

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surcharge assessed on every conviction.