

MAINE STATE LEGISLATURE

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127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 214

S.P. 83

In Senate, February 3, 2015

**An Act To Stay Certain Suspensions Imposed by the Secretary of
State Pending Appeal**

Reference to the Committee on Transportation suggested and ordered printed.

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

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator COLLINS of York.
Cosponsored by Representative PARRY of Arundel and
Senator: ROSEN of Hancock, Representatives: HOGAN of Old Orchard Beach, McLEAN of
Gorham, SIROCKI of Scarborough.

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

2 **Sec. 1. 29-A MRSA §2458, sub-§2-A,** as enacted by PL 2007, c. 486, §1, is
3 amended to read:

4 **2-A. Minimum suspension for negligent operation.** The Secretary of State
5 without preliminary hearing shall suspend for a period of at least 3 years a person's
6 license if the Secretary of State, based on the Secretary of State's records or other
7 sufficient evidence, finds that person to have recklessly or negligently operated a motor
8 vehicle in a manner so as to cause the death of another person. Prior to the determination
9 and issuance of the suspension, the Secretary of State shall notify any family of the victim
10 and shall consider written or oral statements received from the family in response to the
11 notice. Upon suspending the person's license, the Secretary of State shall notify that
12 person of an opportunity for hearing as provided in section 2483. If a person whose
13 license is suspended under this subsection requests a hearing, the suspension is stayed
14 pursuant to section 2483, subsection 4.

15 **SUMMARY**

16 This bill clarifies that a suspension of a person's driver's license by the Secretary of
17 State based upon a determination that the person recklessly or negligently operated a
18 motor vehicle in a manner that caused the death of another person is stayed upon a
19 request for a hearing by the person.