

MAINE STATE LEGISLATURE

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Date: 3-11-16

(Filing No. S- 390)

CRIMINAL JUSTICE AND PUBLIC SAFETY

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STATE OF MAINE

SENATE

127TH LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 335, L.D. 944, Bill, "An Act Regarding Recovery of Emergency Response Costs Related to an OUI Offense"

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

Sec. 1. 29-A MRSa §2411, sub-§9 is enacted to read:

9. Recovery of emergency response costs. In addition to any other charges, fines, penalties, liabilities and financial obligations associated with a conviction of OUI under this section or otherwise arising from operating under the influence of intoxicants, a motor vehicle operator convicted of OUI is strictly liable for and subject to a court-ordered payment plan for the reimbursement of up to \$1,000 for the cost of emergency response services including but not limited to all costs reasonably calculated by the emergency response agency for the mechanical extraction of persons from vehicles; the removal, containment and remediation of hazardous materials; the application of foam or other fire retardants; traffic redirection labor; and the provision of medical services at or near the scene of the accident.

SUMMARY

This amendment is the minority report of the committee and replaces the bill. The amendment makes a person who is convicted of operating a motor vehicle while under the influence of alcohol or drugs strictly liable for the costs of specified emergency response services, up to \$1,000, under a court-ordered payment plan. The bill makes such a person, when causing an incident requiring an emergency response, liable for the costs of that response up to \$2,500.

FISCAL NOTE REQUIRED

(See attached)



127th MAINE LEGISLATURE

LD 944

LR 1233(02)

An Act Regarding Recovery of Emergency Response Costs Related to an OUI Offense

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-390

Committee: Criminal Justice and Public Safety

Fiscal Note Required: Yes

Fiscal Note

No State fiscal impact

Fiscal Detail and Notes

Municipalities could receive reimbursement under this legislation if municipal funded emergency response services or fire departments respond to an emergency and a motor vehicle operator convicted of OUI is held liable for up to \$1,000 in costs.