

MAINE STATE LEGISLATURE

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127th MAINE LEGISLATURE

SECOND REGULAR SESSION-2016

Legislative Document

No. 1647

S.P. 672

In Senate, March 10, 2016

An Act Relating to Penalties for Drug Offenses

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
Secretary of the Senate

Presented by Senator CYRWAY of Kennebec. (GOVERNOR'S BILL)

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

2 **Sec. 1. 17-A MRSA §1125** is enacted to read:

3 **§1125. Mandatory driver's license suspension; mandatory delay in license issuance**
4 **or reinstatement**

5 1. The court shall order the driver's license of a person convicted of a crime under
6 this chapter, except for section 1116, to be suspended for at least 6 months.

7 2. If a person convicted of violating a provision of this chapter, except for section
8 1116, does not have a driver's license, or the person's driver's license is suspended at the
9 time of conviction, the court shall order that the issuance or reinstatement of a driver's
10 license to the person be delayed for at least 6 months after the person applies for issuance
11 or reinstatement of a driver's license.

12 **Sec. 2. 29-A MRSA §2411, sub-§5, ¶A**, as amended by PL 2013, c. 389, §1 and
13 affected by §7, is further amended to read:

14 A. For a person having no previous OUI offenses within a 10-year period:

15 (1) A fine of not less than \$500, except that if the person failed to submit to a
16 test, a fine of not less than \$600;

17 (2) A court-ordered suspension of a driver's license for a period of ~~450~~ 180 days;
18 and

19 (3) A period of incarceration as follows:

20 (a) Not less than 48 hours when the person:

21 (i) Was tested as having an alcohol level of 0.15 grams or more of
22 alcohol per 100 milliliters of blood or 210 liters of breath;

23 (ii) Was exceeding the speed limit by 30 miles per hour or more;

24 (iii) Eluded or attempted to elude an officer; or

25 (iv) Was operating with a passenger under 21 years of age; and

26 (b) Not less than 96 hours when the person failed to submit to a test at the
27 request of a law enforcement officer;

28 **Sec. 3. 29-A MRSA §§2451-A and 2451-B** are enacted to read:

29 **§2451-A. Suspension for drug offense**

30 **1. Recording and notice by Secretary of State.** On receipt of an attested copy of
31 the court record of a suspension of the driver's license of a person convicted of violating
32 the federal Controlled Substances Act or of any criminal offense specified in Title 17-A,
33 chapter 45, except for Title 17-A, section 1116, the Secretary of State shall immediately
34 record the suspension and send written notice of the suspension to the person whose
35 driver's license has been suspended.

