

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1190

H.P. 827

House of Representatives, March 28, 2017

An Act Regarding Driver's License Suspensions for Nondriving-related Violations

Reference to the Committee on Judiciary suggested and ordered printed.

Handwritten signature of Robert B. Hunt in cursive.

ROBERT B. HUNT
Clerk

Presented by Representative MOONEN of Portland.
Cosponsored by Senator KEIM of Oxford and
Representatives: HICKMAN of Winthrop, KINNEY of Limington, McLEAN of Gorham,
WARREN of Hallowell, WINSOR of Norway, Senators: DIAMOND of Cumberland, KATZ
of Kennebec, WHITTEMORE of Somerset.

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

2 **Sec. 1. 14 MRSA §3141, sub-§7**, as amended by PL 1999, c. 587, §9, is further
3 amended to read:

4 **7. Remedies.** Failure to pay by the date fixed by the court's order or an amended
5 order subjects the defendant to the contempt procedures provided in section 3142;
6 ~~suspensions under Title 29-A, section 2605~~; and all procedures for collections provided
7 for in sections 3127-A, 3127-B, 3131, 3132, 3134, 3135 and 3136. An installment
8 agreement under this section must be considered an agreement under section 3125; and a
9 court order to pay under section 3126-A. In addition to other penalties provided by law,
10 the court may impose on the defendant reasonable costs for any failure to appear.

11 **Sec. 2. 14 MRSA §3142, sub-§1, ¶C**, as amended by PL 2003, c. 414, Pt. B, §26
12 and affected by c. 614, §9 and PL 2005, c. 397, Pt. A, §§51 and 52, is further amended to
13 read:

14 C. The suspension of any license, certification, registration, permit, approval or other
15 similar document evidencing the granting of authority to hunt, fish or trap or to
16 engage in a profession, occupation, business or industry, not including a registration,
17 permit, approval or similar document evidencing the granting of authority to engage
18 in the business of banking pursuant to Title 9-B or a motor vehicle license or permit
19 issued by the Secretary of State, the right to operate a motor vehicle in this State and
20 the right to apply for or obtain a license or permit, as provided in Title 29-A.
21 Licenses and registration subject to suspension include, but are not limited to:

22 (1) Licenses issued by the Commissioner of Marine Resources, as provided in
23 Title 12, section 6409;

24 (2) Licenses issued by the Commissioner of Inland Fisheries and Wildlife, as
25 provided in Title 12, section 10902, subsection 3; and

26 (3) Watercraft, snowmobile and all-terrain vehicle registrations, as provided in
27 Title 12, section 10902, subsection 3; and

28 (4) ~~Motor vehicle licenses or permits issued by the Secretary of State, the right to~~
29 ~~operate a motor vehicle in this State and the right to apply for or obtain a license~~
30 ~~or permit, as provided in Title 29-A, section 2605.~~

31 **Sec. 3. 14 MRSA §3146**, as enacted by PL 1987, c. 414, §2, is repealed.

32 **Sec. 4. 29-A MRSA §2605, sub-§1**, as amended by PL 2013, c. 482, §8, is
33 further amended to read:

34 **1. Suspension by clerk.** If a person fails to appear in court on the date and time
35 specified in response to a Uniform Summons and Complaint, a summons, a condition of
36 bail or order of court for any criminal violation of Title 23, section 1980; a civil violation
37 under Title 28-A, section 2052; a civil violation under this Title; or any criminal
38 provision of this Title, ~~or for any further appearance ordered by the court, including one~~
39 ~~for the payment of a fine, either in person or by counsel~~, or fails to pay a fine imposed for
40 a criminal traffic offense, the clerk shall suspend the person's license or permit, the right

1 to operate a motor vehicle in this State and the right to apply for or obtain a license or
2 permit. The court shall immediately notify that person of the suspension by regular mail
3 or personal service. Written notice is sufficient if sent to the person's last known address.

4 If a person who is not an individual fails to appear or pay a fine in a civil violation under
5 this Title or a criminal traffic offense, the clerk shall suspend the registration of the motor
6 vehicle involved in the offense or that person's right to operate that vehicle in the State.

7 **SUMMARY**

8 This bill removes the provisions of law that allow driver's license suspensions for
9 failure to pay a fine in offenses not related to driving. This bill provides that the statutory
10 exemptions from attachment and execution for certain property apply to the enforcement
11 of fines owed to the State.