

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

SECOND REGULAR SESSION-2020

Legislative Document

No. 1953

H.P. 1397

House of Representatives, January 8, 2020

An Act Regarding Driver's License Suspensions for Nondriving Violations

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative MOONEN of Portland.

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 2017, c. 462, §1, 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, ~~a~~
6 ~~restricted license under Title 29-A, section 2605-A~~ and all procedures for collections
7 provided for in sections 3127-A, 3127-B, 3131, 3132, 3134, 3135 and 3136. An
8 installment agreement under this section must be considered an agreement under section
9 3125 and a court order to pay under section 3126-A. In addition to other penalties
10 provided by law, the court may impose on the defendant reasonable costs for any failure
11 to appear.

12 ~~This subsection is repealed October 1, 2021.~~

13 **Sec. 2. 14 MRSA §3141, sub-§8**, as enacted by PL 2017, c. 462, §2, is repealed.

14 **Sec. 3. 14 MRSA §3142, sub-§1, ¶C**, as amended by PL 2017, c. 462, §3, is
15 further amended to read:

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

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

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

29 (3) Watercraft, snowmobile and all-terrain vehicle registrations, as provided in
30 Title 12, section 10902, subsection 3.

31 ~~This paragraph is repealed October 1, 2021;~~

32 **Sec. 4. 14 MRSA §3142, sub-§1, ¶D**, as enacted by PL 2017, c. 462, §4, is
33 repealed.

34 **Sec. 5. 14 MRSA §3142, sub-§1, ¶E**, as enacted by PL 2017, c. 462, §5, is
35 repealed.

36 **Sec. 6. 14 MRSA §3146-A**, as enacted by PL 2017, c. 462, §7, is repealed.

Sec. 7. 29-A MRSA §2605, sub-§1, as amended by PL 2017, c. 462, §8, is further amended to read:

1. Suspension by clerk. If a person fails to appear in court on the date and time specified in response to a Uniform Summons and Complaint, a summons, a condition of bail or order of court for any criminal violation of Title 23, section 1980; a civil violation under Title 28-A, section 2052; a civil violation under this Title; or any criminal provision of this Title or fails to pay a fine imposed for a criminal traffic offense, the clerk shall suspend the person's license or permit, the right to operate a motor vehicle in this State and the right to apply for or obtain a license or permit. The court shall immediately notify that person of the suspension by regular mail or personal service. Written notice is sufficient if sent to the person's last known address.

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

~~This subsection is repealed October 1, 2021.~~

Sec. 8. 29-A MRSA §2605, sub-§1-A, as enacted by PL 2017, c. 462, §9, is repealed.

Sec. 9. 29-A MRSA §2605-A, as enacted by PL 2017, c. 462, §10, is repealed.

SUMMARY

This bill does the following.

1. It removes the provisions of law that provide for the suspension of a driver's license or permit for failure to pay a fine for an offense not related to driving and strikes the October 1, 2021 repeal provisions.

2. It repeals the provision of law that provides for the issuance of a restricted driver's license for failure to pay a fine for offenses not related to driving.

3. It repeals the provision, effective on October 1, 2021, that provides the statutory exemptions from attachment and execution for certain property do not apply to enforcement of fines owed to the State.