

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 1313

H.P. 969

House of Representatives, March 30, 2021

An Act To Clarify Who Signs and Swears to a Certificate Stating the Results of a Breath-alcohol Test

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

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

ROBERT B. HUNT
Clerk

Presented by Representative O'NEIL of Saco.
Cosponsored by Senator MIRAMANT of Knox.

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

2 **Sec. 1. 29-A MRSA §2431, sub-§2, ¶B,** as enacted by PL 1993, c. 683, Pt. A, §2
3 and affected by Pt. B, §5, is amended to read:

4 B. A person qualified to operate a self-contained, breath-alcohol testing apparatus may
5 issue a certificate stating the results of ~~the~~ an analysis performed by the person.

6 **SUMMARY**

7 This bill clarifies that a certificate of a chemical analysis of a breath test with respect
8 to a motor vehicle offense may be used as prima facie evidence only if the certificate is
9 issued by the qualified person who performed the analysis.