

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

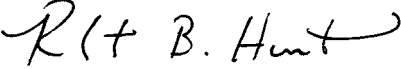
No. 819

H.P. 508

House of Representatives, February 21, 2023

**An Act to Reduce the Penalty for Operating a Motor Vehicle Under
a Suspended License in Certain Situations**

Reference to the Committee on Transportation suggested and ordered printed.


ROBERT B. HUNT
Clerk

Presented by Representative ANKELES of Brunswick.
Cosponsored by Senator GROHOSKI of Hancock and
Representatives: BOYER of Poland, MILLIKEN of Blue Hill, PLUECKER of Warren,
RISEMAN of Harrison, STOVER of Boothbay, WARREN of Scarborough.

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

2 **Sec. 1. 29-A MRSA §2069, sub-§3, ¶B**, as enacted by PL 2015, c. 159, §4, is
3 amended to read:

4 B. The issuance of a summons for a traffic infraction as described in section 2412-A,
5 subsection § 1-A, paragraph A;

6 **Sec. 2. 29-A MRSA §2412-A, sub-§1-A**, as amended by PL 2009, c. 297, §1, is
7 further amended to read:

8 **1-A. Offense; penalty.** A person commits operating while license suspended or
9 revoked if that person:

10 A. Operates a motor vehicle on a public way or in a parking area when that person's
11 license has been suspended or revoked, and that person:

12 (1) Has received written notice of a suspension or revocation from the Secretary
13 of State or a court;

14 (2) Has been orally informed of the suspension or revocation by a law enforcement
15 officer or a court;

16 (3) Has actual knowledge of the suspension or revocation;

17 (4) Has been sent written notice in accordance with section 2482 or former Title
18 29, section 2241, subsection 4; or

19 (5) Has failed to answer or to appear in court pursuant to a notice or order specified
20 in section 2605 or 2608;

21 Violation of this paragraph is a traffic infraction;

22 B. Violates paragraph A and the suspension was for OUI or an OUI offense. Violation
23 of this paragraph is a Class E crime, which is a strict liability crime as defined in Title
24 17-A, section 34, subsection 4-A;

25 C. Violates paragraph A and the suspension was for OUI or an OUI offense, the person
26 was subject to the mandatory minimum sentence and the person:

27 (1) Has one prior conviction for violating this section;

28 (2) Has 2 prior convictions for violating this section; or

29 (3) Has 3 or more prior convictions for violating this section; ~~or.~~

30 Violation of this paragraph is a Class E crime, which is a strict liability crime as defined
31 in Title 17-A, section 34, subsection 4-A; or

32 D. Violates paragraph A, the suspension was not for OUI or an OUI offense and the
33 person has one or more prior convictions for violating this section. Violation of this
34 paragraph is a Class E crime, which is a strict liability crime as defined in Title 17-A,
35 section 34, subsection 4-A.

36 ~~Except for an offense under subsection 8 or as otherwise provided, operating while license~~
37 ~~suspended or revoked is a Class E crime, which is a strict liability crime as defined in Title~~
38 ~~17-A, section 34, subsection 4-A.~~

