

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## SECOND REGULAR SESSION-2024

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Legislative Document

No. 2041

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H.P. 1303

House of Representatives, December 13, 2023

**Resolve, to Review Traffic Fatalities Occurring While an Operator  
Was Under the Influence and Subsequent Prosecution with Respect  
to Those Occurrences**

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

Received by the Clerk of the House on December 11, 2023. Referred to the Committee on Criminal Justice and Public Safety pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Handwritten signature of Robert B. Hunt in cursive.

ROBERT B. HUNT  
Clerk

Presented by Representative O'CONNELL of Brewer.

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**Sec. 1. Commission convened; review of traffic fatalities involving OUI.**  
**Resolved:** That the Attorney General shall convene a commission with membership made up of law enforcement officers and district attorneys to review traffic fatalities in the State in which an operator was charged with OUI, as defined in the Maine Revised Statutes, Title 29-A, section 2401, subsection 8. The commission shall consider the enforcement of and prosecution involving the laws governing OUI offenses in the State, focusing primarily on OUI offenses that result in death.

**Sec. 2. Best practices guide; OUI enforcement and prosecution. Resolved:**  
That the commission under section 1 shall create a set of best practices to be used as a guide in the enforcement of and prosecution involving the laws governing OUI offenses in the State and shall make this guide available to law enforcement agencies and district attorneys in the State.

**SUMMARY**

This resolve directs the Attorney General to convene a commission with membership made up of law enforcement officers and district attorneys to review traffic fatalities in the State in which an operator was charged with operating under the influence, or OUI, and the subsequent prosecution of those occurrences. The commission is directed to create a set of best practices to be used as a guide in the enforcement of and prosecution involving the laws governing OUI offenses in the State.