

# MAINE STATE LEGISLATURE

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EIGHTY-FOURTH LEGISLATURE

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House Document

No. 511

H. P. 1468

House of Representatives, Feb. 28, 1929.

Referred to Committee on Judiciary and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Sturtevant of East Livermore.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND TWENTY-NINE

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AN ACT Relating to Licensing Operators of Motor Vehicles  
After Their Conviction of Operating the Same While Under  
the Influence of Intoxicating Liquor.

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

Section seventy-three of chapter two hundred eleven of  
2 the public laws of nineteen hundred twenty-one is hereby  
3 amended by striking out the whole of said section and in-  
4 serting in place thereof the following:

'Sect. 73. If any motor vehicle is so driven in a reck-  
2 less manner or by a person apparently under the influence  
3 of intoxicating liquor or drugs, it shall be the duty of every  
4 officer who is charged with the enforcement of law and

5 of every citizen, to forthwith report the same to the sec-  
6 retary, giving the register number of the vehicle, the state  
7 registering the same, and the name and residence of the  
8 operator or owner, if known. Upon receipt of such com-  
9 plaint the secretary shall forthwith investigate the case and  
10 may suspend or revoke the license of such operator, or, if  
11 a non-resident, his right to operate in this state, and annul  
12 the registration of any vehicle so operated, for such time  
13 as he shall deem advisable. No person whose license to  
14 operate a motor vehicle has been revoked upon conviction of  
15 violating the provisions of section seventy-four of this act  
16 shall be licensed again or permitted to operate a motor  
17 vehicle in this state, except that, after the expiration of  
18 three years from the date of such revocation of his license,  
19 he may petition the secretary of state for a license, who,  
20 after hearing and after his determination that public safety  
21 will not be endangered by issuing a new license to such  
22 person, may then issue to him a license with or without  
23 conditions thereto attached; upon a subsequent conviction  
24 for a similar offense, no license shall be granted to operate  
25 a motor vehicle, nor shall such license be given to anyone  
26 who shall be convicted of a violation of the provisions of  
27 said section seventy-four after this act takes effect, whose  
28 license had been revoked at any time previous thereto. If  
29 any person convicted of any violation of the provisions of  
30 this act shall appeal from the judgment and sentence of  
31 the trial court, his license and right to operate a motor

32 vehicle in this state shall be suspended during the time his  
33 appeal is pending in the appellate court, unless the trial  
34 court shall otherwise order, or unless the secretary, after  
35 a hearing, shall restore the license or permit pending de-  
36 cision on the appeal.'