

MAINE STATE LEGISLATURE

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E I G H T Y - N I N T H L E G I S L A T U R E

Legislative Document

No. 533

H. P. 1348

House of Representatives, February 8, 1939.

Reported by Mr. Paul from Committee on Motor Vehicles and laid on table to be printed under joint rules.

HARVEY R. PEASE, Clerk.

S T A T E O F M A I N E

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-NINE

AN ACT Relating to Printing on Operators' Licenses.

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

R. S., c. 29, § 88, amended. The 2nd and 4th paragraphs of section 88 of chapter 29 of the revised statutes, as amended by chapter 89 of the public laws of 1935 is hereby further amended to read as follows:

'Whoever shall operate or attempt to operate a motor vehicle upon any way, or in any other place when intoxicated or at all under the influence of intoxicating liquor or drugs, when such offense is of a high and aggravated nature shall be deemed guilty of a felony and on conviction thereof shall be punished by a fine of not less than \$100 nor more than \$1000, or by imprisonment for not less than 60 days nor more than 2 years, or by both such fine and imprisonment. Any person convicted of a second or subsequent offense of the same gravity shall be punished by imprisonment for not less than 3 months nor more than 3 years, and in addition the court may impose a fine as above provided. The license **or right to operate motor vehicles** of any person convicted of violating the provisions of this section shall be revoked immediately by the secretary of state upon receipt of an attested copy of the court records, without further hearing.'

'No person whose license or ~~permit~~ **right** to operate a motor vehicle has been revoked upon conviction of violating the provisions of this section

shall be licensed again or permitted to operate a motor vehicle for 3 years, except that, after the expiration of 2 years from the date of such revocation, he may petition the secretary of state for a license or permit, who, after hearing and after his determination that public safety will not be endangered by issuing a new license may issue such license or permit with or without conditions thereto attached; upon a second conviction of a violation of the provisions of this section, such person, ~~whose license or permit to operate a motor vehicle has been revoked again by reason of such conviction,~~ shall not be licensed again or permitted to operate a motor vehicle in this state for 5 years from the date of ~~conviction,~~ **revocation** provided however, that after 3 years from the date of such last revocation, he may petition the secretary of state for a license or permit and the secretary of state, after like hearing and determination, again may issue a license or permit to the petitioner, with or without conditions; upon any subsequent conviction for a similar offense, the license or permit shall terminate and no subsequent license or permit shall be granted to such person; for the purpose of this section, in case a person has been convicted 1 or more times prior to the 13th day of July, 1929, of a violation of the provisions of this section, such previous conviction or convictions shall be construed as one conviction. ~~A copy of sections 87 and 88 shall be printed on every operator's license.'~~