

MAINE STATE LEGISLATURE

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

Legislative Document

No. 200

H. P. 195

House of Representatives, January 26, 1955.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Wadleigh of Mount Vernon by request.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-FIVE

AN ACT Relating to Warnings of Possible Loss of Right to Operate a Motor Vehicle.

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

R. S., c. 22, §§ 167-170, additional. Chapter 22 of the revised statutes is hereby amended by adding thereto 4 new sections to be numbered 167 to 170, inclusive, to read as follows :

‘Sec. 167. Warning by arresting officer. When a person has been arrested and charged with a violation of any provision of this chapter, upon conviction of which his license to operate a motor vehicle may be suspended or revoked, he shall be warned of such fact by the arresting officer forthwith, and told of the possible duration of such suspension.

Sec. 168. Warning by court. Before trial in a municipal court charged with a violation of the provisions of this chapter, the person so charged shall be warned by the judge of such municipal court that a conviction of such charge may result in the suspension or revocation of the right to operate a motor vehicle of such person, and he shall also be told the maximum duration of such suspension under the law; and the judge shall receive from such person indication that he understands the meaning of such warning.

Sec. 169. Warning upon conviction. Upon conviction in a municipal court of a violation of the provisions of this chapter, a person shall again be warned by the judge of such court that he is liable to a suspension or revocation of his right to operate, and the maximum duration of such suspension under the law. He shall be further warned by such judge that he has the right to appeal such conviction and have a trial by jury, together with a statement as to the length

of time within which such appeal must be filed; and such judge shall have indication from such person that he understands his rights in the matter.

Sec. 170. Hearing before Secretary of State. If, after being charged with a violation of any of the provisions of this chapter, a person shall have declared under oath to the Secretary of State that the use of a motor vehicle is necessary in earning his living, said Secretary shall notify such persons as reasonably appears appropriate to him of such fact and such person shall have the advice of an attorney during the hearing, trial or proceedings relative to the suspension or revocation of his right to operate a motor vehicle.'