

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND ELEVENTH LEGISLATURE

**FIRST REGULAR SESSION**  
December 1, 1982 to June 24, 1983  
Chapters 453-End

AND AT THE  
**FIRST SPECIAL SESSION**  
September 6, 1983 to September 7, 1983  
Chapters 583-588

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH  
IN ACCORDANCE WITH MAINE REVISED STATUTES  
ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

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J.S. McCarthy Co., Inc.  
Augusta, Maine  
1983

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION

CONTINUED

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

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## CHAPTER 503

H.P. 956 - L.D. 1237

### AN ACT to Amend the Habitual Offender Law.

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

29 MRSA §2296-B is enacted to read:

#### §2296-B. Work-restricted license

1. Petition. A person whose license to operate a motor vehicle has been revoked as an habitual offender, pursuant to section 2293, may petition the Secretary of State for a work-restricted license.

2. Stay; license. Upon receipt of the petition the Secretary of State may stay the revocation during the statutory revocation period and issue a work-restricted license. The Secretary of State may, in deciding whether to issue a work-restricted license, consider the petitioner's need.

3. Revocation; procedure. The Secretary of State shall revoke, without preliminary hearing, the work-restricted license of any person who is adjudicated or convicted of any violation of this Title committed during the period when a work-restricted license has been issued. Upon revocation of the work-restricted license, the stay of revocation issued pursuant to this section shall be vacated immediately. Any habitual offender whose work-restricted license has been revoked shall have the right to a hearing in accordance with procedures and presumptions set forth in sections 2294 and 2297. No stay of revocation may be issued pending any requested hearing. If, after the hearing, the Secretary of State or his deputy finds that the person is not the same person named in the transcript or abstract, the revocation shall be stayed and a work-restricted license shall be reissued, but, if the Secretary of State finds that the person is the same person named in the transcript or abstract, the revocation shall be invoked. An habitual offender who is adjudicated or convicted of any violation of this Title committed during the period when a work-restricted license has been issued shall not be entitled to any further relief during the remaining term of the revocation.

4. Eligibility. A person is not eligible for a license under this section if one or more of the convictions or adjudications upon which his habitual offender status is based, pursuant to section 2292, carried a mandatory penalty of suspension or revocation of license.

5. Definition. For purposes of this section, a "work-restricted license" is a license to operate a motor vehicle between a residence and a place of employment, in the scope of employment, or both, as determined by the Secretary of State.

Effective September 23, 1983.

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## CHAPTER 504

H.P. 1259 - L.D. 1680

AN ACT to Establish and Amend the Air  
Emission and Open-burning Standards.

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

Sec. 1. 12 MRSA §9321, sub-§1, ¶D, as enacted by PL 1979, c. 545, §3, is repealed and the following enacted in its place:

D. The matter and type of burning proposed, giving due consideration to prohibitions and permissible open-burning regulations of the Department of Environmental Protection under Title 38, section 599;

Sec. 2. 12 MRSA §9321, sub-§2, as enacted by PL 1979, c. 545, §3, is repealed and the following enacted in its place:

2. Revocation. The director or his delegate may revoke any permit during a period of high forest fire danger or any permit which results in creation of a nuisance condition without compliance with the provisions of Title 4, chapter 25 or Title 5, chapter 375.

Sec. 3. 12 MRSA §9321, sub-§4, as enacted by PL 1979, c. 545, §3, is repealed and the following enacted in its place:

4. Conditions. The director may issue a permit with stated conditions or restrictions to insure adequate control of permitted fires in accordance with