

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTIETH LEGISLATURE

FIRST SPECIAL SESSION
November 13, 2002 to November 14, 2002

ONE HUNDRED AND TWENTY-FIRST LEGISLATURE

FIRST REGULAR SESSION
December 4, 2002 to June 14, 2003

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
FEBRUARY 13, 2003

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 13, 2003

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Penmor Lithographers
Lewiston, Maine
2003

Sec. 1. 38 MRSA §480-E, sub-§11 is enacted to read:

11. Road construction associated with forest management activities. A permit by rule for road construction or maintenance associated with a forest management activity becomes effective upon receipt of notification by the department as long as:

A. The road construction or maintenance is eligible for a permit by rule; and

B. The notification is on a form provided by the department and is complete.

See title page for effective date.

CHAPTER 24

H.P. 534 - L.D. 728

An Act To Repeal the Crime of Plundering at Fires as Larceny

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

Sec. 1. 25 MRSA §2462 is repealed.

See title page for effective date.

CHAPTER 25

H.P. 434 - L.D. 571

An Act To Improve the Safety of Public Roads

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, an anomaly exists under current law where a court may restrict or suspend a person's ability to operate a motor vehicle but there is no mechanism for that restriction or suspension to be transmitted to law enforcement agencies; and

Whereas, this Act allows the Secretary of State to suspend or restrict without a hearing the license of a person whose motor vehicle operation privilege has been restricted as a condition of bail; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 29-A MRSA §2458, sub-§2, ¶O, as amended by PL 1997, c. 776, §48, is further amended to read:

O. Has a license, permit or the privilege to apply for or obtain a license suspended or revoked by a jurisdiction of the United States or a province; ~~or~~

Sec. 2. 29-A MRSA §2458, sub-§2, ¶P, as enacted by PL 1997, c. 776, §49, is amended to read:

P. Has failed to provide a valid social security number pursuant to section 1301-; or

Sec. 3. 29-A MRSA §2458, sub-§2, ¶Q is enacted to read:

Q. Has, as a condition of bail pursuant to Title 15, chapter 105-A or, if a juvenile, as a condition of release pursuant to Title 15, chapter 505, been ordered not to operate a motor vehicle. If the conditions of bail or release allow a person to operate a motor vehicle only under certain conditions or with restrictions on time, place or purpose, the Secretary of State may, without hearing, issue a restricted license reflecting the restrictions imposed.

Sec. 4. 29-A MRSA §2458, sub-§4, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

4. Notice of hearing. Upon suspending or revoking a certificate of title, certificate of registration, license or fuel use decal pursuant to subsection 2, the Secretary of State shall notify that person of opportunity for hearing as provided in section 2483, except where the suspension or revocation rests solely upon a conviction in court of an offense that by statute is expressly made grounds for that suspension or revocation, or the basis of the Secretary of State's action is a condition of bail or conditional release pursuant to subsection 2, paragraph Q.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective April 1, 2003.

CHAPTER 26

H.P. 12 - L.D. 5

An Act to Amend the Law Pertaining to Notice of Nonrenewal of an Automobile Insurance Policy