

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 2008 to June 13, 2009

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 12, 2009

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

Augusta, Maine
2009

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

Effective April 22, 2009.

CHAPTER 53

S.P. 248 - L.D. 673

An Act To Improve the Protection for Buyers of Motor Vehicles from Vehicles Labeled Lemons in Other States

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

Sec. 1. 10 MRSA §1174, sub-§4, ¶F is enacted to read:

F. To fail to disclose in writing to a potential purchaser or lessee of a motor vehicle that the motor vehicle had previously been returned to the manufacturer pursuant to either a lemon law arbitration decision or a lemon law settlement agreement in a state other than this State if known to the dealer. If that information is known to the dealer, this disclosure must be clear and conspicuous. For the purpose of this section, "lemon law" refers to any state's certified dispute settlement law that establishes a state-certified arbitration procedure to settle consumer complaints that the consumer had been sold a vehicle that did not conform to all manufacturer express warranties and that the manufacturer had not been able to repair or correct the defect or condition that impaired the vehicle.

See title page for effective date.

CHAPTER 54

S.P. 66 - L.D. 180

An Act To Make Technical Corrections to the Operating Under the Influence Laws

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

Whereas, it is in the best interest of the public safety and drivers to make motor vehicle license suspension provisions in the ignition interlock laws consistent with all other administrative suspensions by the Secretary of State; 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 §2451, sub-§3, ¶B, as enacted by PL 1995, c. 368, Pt. AAA, §17, is amended to read:

B. ~~Eighteen months~~ Three years, if the person has 2 OUI offenses within a 10-year period; or

Sec. 2. 29-A MRSA §2451, sub-§3, ¶C, as enacted by PL 1995, c. 368, Pt. AAA, §17, is amended to read:

C. ~~Four~~ Six years, if the person has 3 or more OUI offenses within a 10-year period; ~~or~~

Sec. 3. 29-A MRSA §2451, sub-§3, ¶D, as enacted by PL 1995, c. 368, Pt. AAA, §17, is repealed.

Sec. 4. 29-A MRSA §2508, sub-§1, as enacted by PL 2007, c. 531, §6 and affected by §10, is amended to read:

1. Installation of ignition interlock device. Notwithstanding the periods of suspension pursuant to section 2411 or 2451, subsection 3, the Secretary of State may reinstate the license of a person convicted of more than one violation of section 2411 or whose license is suspended by the Secretary of State pursuant to section 2453 if the person satisfies all other conditions for license reinstatement and installs an ignition interlock device approved by the Secretary of State in the motor vehicle the person operates, under the following conditions.

A. The license of a person with 2 OUI offenses may be reinstated after 9 months of the suspension period has run if the person has installed for a period of 2 years an ignition interlock device approved by the Secretary of State in the motor vehicle the person operates.

B. The license of a person with 3 OUI offenses may be reinstated after 3 years of the suspension period has run if the person has installed for a period of 3 years an ignition interlock device approved by the Secretary of State in the motor vehicle the person operates.

C. The license of a person with 4 or more OUI offenses may be reinstated after the expiration of the period of suspension if the person has installed for a period of 4 years an ignition interlock device approved by the Secretary of State in the motor vehicle the person operates.