

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

- (3) Has actual knowledge of the suspension or revocation;
- (4) Has been sent written notice in accordance with section 2482 or former Title 29, section 2241, subsection 4; or
- (5) Has failed to answer or to appear in court pursuant to a notice or order specified in section 2605 or 2608;

B. Violates paragraph A and the suspension was for OUI or an OUI offense;

C. Violates paragraph A and the suspension was for OUI or an OUI offense, the person was subject to the mandatory minimum sentence and the person:

- (1) Has one prior conviction for violating this section;
- (2) Has 2 prior convictions for violating this section; or
- (3) Has 3 or more prior convictions for violating this section; or

D. Violates paragraph A, the suspension was not for OUI or an OUI offense and the person has one or more prior convictions for violating this section.

Except for an offense under subsection 8 or as otherwise provided, operating while license suspended or revoked is a Class E crime, which is a strict liability crime as defined in Title 17-A, section 34, subsection 4-A.

Sec. 2. 29-A MRSA §2412-A, sub-§8 is enacted to read:

8. Traffic infraction. A person commits a traffic infraction operating while license suspended if the person has not been convicted or adjudicated of a prior offense under this section and the sole basis for the suspension is:

- A. Failure to pay a fine;
- B. Failure to pay a license reinstatement fee; or
- C. Suspension for a dishonored check.

Sec. 3. 29-A MRSA §2551-A, sub-§3, as amended by PL 2009, c. 58, §§1 to 3, is further amended to read:

3. Offenses not included. The following convictions are not included under subsection 1, paragraph A:

- A. A conviction of operating a motor vehicle without a license if the license had expired and was not suspended or revoked;

B. A conviction of operating after suspension when the suspension is based upon a failure to pay child support; ~~and~~

C. A conviction of operating after suspension when the suspension is based solely on a failure to pay the reinstatement fee required by section 2486-; ~~and~~

D. An adjudication for the traffic infraction of operating after suspension under section 2412-A, subsection 8.

See title page for effective date.

CHAPTER 298

S.P. 494 - L.D. 1359

An Act To Improve the Use of Data from the Controlled Substances Prescription Monitoring Program

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

Sec. 1. 22 MRSA §7250, sub-§4, ¶D, as enacted by PL 2003, c. 483, §1, is amended to read:

D. A patient to whom a prescription is written, insofar as the information relates to that patient; ~~and~~

Sec. 2. 22 MRSA §7250, sub-§4, ¶E, as enacted by PL 2003, c. 483, §1, is amended to read:

E. Office personnel or personnel of any vendor or contractor, as necessary for establishing and maintaining the program's electronic system-; ~~and~~

Sec. 3. 22 MRSA §7250, sub-§4, ¶F is enacted to read:

F. The office that administers the MaineCare program pursuant to chapter 855 for the purposes of managing the care of its members, monitoring the purchase of controlled substances by its members and avoiding duplicate dispensing of controlled substances.

See title page for effective date.

CHAPTER 299

H.P. 995 - L.D. 1419

An Act To Implement Respectful Language Amendments

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