



131st MAINE LEGISLATURE

SECOND REGULAR SESSION-2024

Legislative Document

No. 2247

H.P. 1443

House of Representatives, March 5, 2024

**An Act to Clarify the Minimum Sentencing Standards for a
Violation of Operating Under the Influence**

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative SINCLAIR of Bath.
Cosponsored by Representative: GREENWOOD of Wales.

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

2 **Sec. 1. 29-A MRSA §2411, sub-§5, ¶A**, as amended by PL 2013, c. 389, §1 and
3 affected by §7, is further amended by amending subparagraph (3), division (a), subdivision
4 (i) to read:

5 (i) ~~Was tested as~~ Operated a motor vehicle while having an alcohol level
6 of 0.15 grams or more of alcohol per 100 milliliters of blood or 210 liters
7 of breath;

8 **SUMMARY**

9 This bill specifies that the mandatory minimum sentence of incarceration for a violation
10 of operating under the influence applies when the person has operated a motor vehicle while
11 having an alcohol level of 0.15 grams or more of alcohol per 100 milliliters of blood or 210
12 liters of breath. Current law applies the penalty if the person was tested as having an
13 alcohol level of 0.15 grams or more of alcohol per 100 milliliters of blood or 210 liters of
14 breath.