

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Amend the Motor Vehicle Ignition Interlock Device Requirements in the Laws Regarding Operating Under the Influence

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

Sec. 1. 29-A MRSA §2411, sub-§5, ¶D, as amended by PL 2007, c. 531, §2 and affected by §10, is further amended to read:

D. For a person having 3 or more previous OUI offenses within a 10-year period, which is a Class C crime:

(1) A fine of not less than \$2,100, except that if the person failed to submit to a test at the request of a law enforcement officer, a fine of not less than \$2,500;

(2) A period of incarceration of not less than 6 months, except that if the person failed to submit to a test at the request of a law enforcement officer, a period of incarceration of not less than 6 months and 20 days;

(3) A court-ordered suspension of a driver's license for a period of 6 years; and

(4) In accordance with section 2416, a court-ordered suspension of the person's right to register a motor vehicle; and

~~(5) In accordance with section 2508, installation of an ignition interlock device in the motor vehicle the person operates for a period of 4 years after the period of suspension has run;~~

Sec. 2. 29-A MRSA §2508, sub-§1, ¶C, as amended by PL 2009, c. 482, §1, is further amended to read:

C. The license of a person with 4 or more OUI offenses may be reinstated after ~~the expiration~~ 4 years of the period of suspension period has run 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. ~~This paragraph applies only to 4th or subsequent offenses committed after August 31, 2008.~~

SUMMARY

This bill increases the minimum mandatory driver's license suspension for a person convicted of operating under the influence who has 3 or more previous offenses within a 10-year period from 6 to 8 years and removes the requirement that such a person install for a period of 4 years an ignition interlock

SP0036, LD 85, item 1, 126th Maine State Legislature
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device in the motor vehicle the person operates, but authorizes the Secretary of State to reinstate the license of such a person after 4 years of suspension if the person has installed for a period of 4 years an ignition interlock device in the motor vehicle the person operates.