



126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 85

S.P. 36

In Senate, January 22, 2013

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

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator HILL of York.
Cosponsored by Senators: DUTREMBLE of York, GERZOFSKY of Cumberland,
PLUMMER of Cumberland, Representative: DION of Portland.

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

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

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

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

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

11 (3) A court-ordered suspension of a driver's license for a period of ~~6~~ 8 years; and

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

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

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

19 C. The license of a person with 4 or more OUI offenses may be reinstated after ~~the~~
20 ~~expiration~~ 4 years of the ~~period of~~ suspension period has run if the person has
21 installed for a period of 4 years an ignition interlock device approved by the
22 Secretary of State in the motor vehicle the person operates. ~~This paragraph applies~~
23 ~~only to 4th or subsequent offenses committed after August 31, 2008.~~

24 **SUMMARY**

25 This bill increases the minimum mandatory driver's license suspension for a person
26 convicted of operating under the influence who has 3 or more previous offenses within a
27 10-year period from 6 to 8 years and removes the requirement that such a person install
28 for a period of 4 years an ignition interlock device in the motor vehicle the person
29 operates, but authorizes the Secretary of State to reinstate the license of such a person
30 after 4 years of suspension if the person has installed for a period of 4 years an ignition
31 interlock device in the motor vehicle the person operates.