



# 127th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2016

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Legislative Document

No. 1647

S.P. 672

In Senate, March 10, 2016

### An Act Relating to Penalties for Drug Offenses

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

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Secretary of the Senate

Presented by Senator CYRWAY of Kennebec. (GOVERNOR'S BILL)

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

2 **Sec. 1. 17-A MRSA §1125** is enacted to read:

3 **§1125. Mandatory driver's license suspension; mandatory delay in license issuance**  
4 **or reinstatement**

5 1. The court shall order the driver's license of a person convicted of a crime under  
6 this chapter, except for section 1116, to be suspended for at least 6 months.

7 2. If a person convicted of violating a provision of this chapter, except for section  
8 1116, does not have a driver's license, or the person's driver's license is suspended at the  
9 time of conviction, the court shall order that the issuance or reinstatement of a driver's  
10 license to the person be delayed for at least 6 months after the person applies for issuance  
11 or reinstatement of a driver's license.

12 **Sec. 2. 29-A MRSA §2411, sub-§5, ¶A**, as amended by PL 2013, c. 389, §1 and  
13 affected by §7, is further amended to read:

14 A. For a person having no previous OUI offenses within a 10-year period:

15 (1) A fine of not less than \$500, except that if the person failed to submit to a  
16 test, a fine of not less than \$600;

17 (2) A court-ordered suspension of a driver's license for a period of ~~450~~ 180 days;  
18 and

19 (3) A period of incarceration as follows:

20 (a) Not less than 48 hours when the person:

21 (i) Was tested as having an alcohol level of 0.15 grams or more of  
22 alcohol per 100 milliliters of blood or 210 liters of breath;

23 (ii) Was exceeding the speed limit by 30 miles per hour or more;

24 (iii) Eluded or attempted to elude an officer; or

25 (iv) Was operating with a passenger under 21 years of age; and

26 (b) Not less than 96 hours when the person failed to submit to a test at the  
27 request of a law enforcement officer;

28 **Sec. 3. 29-A MRSA §§2451-A and 2451-B** are enacted to read:

29 **§2451-A. Suspension for drug offense**

30 **1. Recording and notice by Secretary of State.** On receipt of an attested copy of  
31 the court record of a suspension of the driver's license of a person convicted of violating  
32 the federal Controlled Substances Act or of any criminal offense specified in Title 17-A,  
33 chapter 45, except for Title 17-A, section 1116, the Secretary of State shall immediately  
34 record the suspension and send written notice of the suspension to the person whose  
35 driver's license has been suspended.

