

Date: (Filing No. H- )

**CRIMINAL JUSTICE AND PUBLIC SAFETY**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
131ST LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 262, L.D. 429, “An Act to Reclassify Certain Offenses Under the Motor Vehicle Laws and Increase the Efficiency of the Criminal Justice System”

Amend the bill by striking out everything after the enacting clause and inserting the following:

**Sec. 1. 29-A MRSA §1603, sub-§9**, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

**9. Return license, certificates and plates.** A person whose license or registration has been suspended shall immediately return every license, registration certificate and registration plate issued to that person to the Secretary of State. A person commits a ~~Class E crime~~ traffic infraction if that person, after notice of suspension, fails or refuses to return every license, registration certificate and registration plate.

**Sec. 2. 29-A MRSA §1859**, as amended by PL 1995, c. 65, Pt. A, §104 and affected by §153 and Pt. C, §15, is further amended to read:

**§1859. Removal of vehicle**

Removal of a vehicle described in section 1851 or of any part or accessory from the vehicle without the written consent of the person in charge or the owner of the premises or property where the vehicle is located is a ~~Class E crime~~ traffic infraction. This section applies to all persons, including the owner of the vehicle.

**Sec. 3. 29-A MRSA §2069, sub-§3, ¶B**, as enacted by PL 2015, c. 159, §4, is amended to read:

B. The issuance of a summons for a traffic infraction as described in section 351, section 2104 or section 2412-A, subsection 8;

**Sec. 4. Effective date.** This Act takes effect January 1, 2024.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

**COMMITTEE AMENDMENT**

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**SUMMARY**

This amendment is the majority report of the committee. The amendment removes the proposals in the bill to reduce the following offenses from Class E crimes to traffic infractions, keeping them Class E crimes: displaying a revoked, mutilated, fictitious or fraudulently altered driver's license or identification card; possessing a revoked, mutilated, fictitious or fraudulently altered driver's license or identification card; attaching false plates; permitting attachment of false plates; permitting display of false registration validation device; false identification of plates; instances of operating while license suspended or revoked when the underlying cause for the suspension was not due to operating under the influence; and operating or permitting another to operate a vehicle with a suspended registration. It also makes technical changes to the bill as a result of these changes.

The amendment also removes provisions in the bill that would have made evidence obtained pursuant to an unlawful search and seizure inadmissible in a civil violation, and that would have allowed a law enforcement officer who has probable cause to believe a violation of law has taken place or is taking place to apply for a search warrant.

**FISCAL NOTE REQUIRED**

**(See attached)**