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CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 815, L.D. 1111, Bill, “An Act Regarding Driver's License Suspensions for Criminal Negligence”

Amend the bill by striking out the title and substituting the following:

'An Act Regarding Driver's License Suspensions'

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

'Sec. 1. 29-A MRSA §2458, sub-§2-A, as amended by PL 2015, c. 13, §1, is further amended to read:

2-A. Minimum suspension for negligent operation. The Secretary of State without preliminary hearing shall suspend for a period of at least ~~3 years~~ one year a person's license if the Secretary of State, based on the Secretary of State's records or other sufficient evidence, finds that person to have negligently operated a motor vehicle in a manner so as to cause the death of another person. Prior to the determination and issuance of the suspension, the Secretary of State shall notify any family of the victim and shall consider written or oral statements received from the family in response to the notice. Upon suspending the person's license, the Secretary of State shall notify that person of an opportunity for hearing as provided in section 2483. If a person whose license is suspended under this subsection requests a hearing, the suspension is stayed pursuant to section 2483.'

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

SUMMARY

This amendment changes the mandatory minimum period of suspension of a driver's license after a finding of negligence in causing a fatal accident from 3 years to one year. The amendment deletes from the bill provisions that change the requirement of civil

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1 negligence to a requirement of criminal negligence and that require causation to be found
2 as defined in the Maine Criminal Code in Title 17-A, section 33.