

STATE OF MAINE

—  
IN THE YEAR OF OUR LORD  
TWO THOUSAND AND EIGHTEEN

—  
H.P. 827 - L.D. 1190

**An Act Regarding Driver's License Suspensions for Nondriving-related  
Violations**

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

**Sec. 1. 14 MRSA §3141, sub-§7**, as amended by PL 1999, c. 587, §9, is further amended to read:

**7. Remedies.** Failure to pay by the date fixed by the court's order or an amended order subjects the defendant to the contempt procedures provided in section 3142, ~~suspensions a restricted license~~ under Title 29-A, section ~~2605~~, 2605-A and all procedures for collections provided for in sections 3127-A, 3127-B, 3131, 3132, 3134, 3135 and 3136. An installment agreement under this section must be considered an agreement under section 3125; and a court order to pay under section 3126-A. In addition to other penalties provided by law, the court may impose on the defendant reasonable costs for any failure to appear.

This subsection is repealed October 1, 2021.

**Sec. 2. 14 MRSA §3141, sub-§8** is enacted to read:

**8. Remedies.** Failure to pay by the date fixed by the court's order or an amended order subjects the defendant to the contempt procedures provided in section 3142, suspensions under Title 29-A, section 2605 and all procedures for collections provided for in sections 3127-A, 3127-B, 3131, 3132, 3134, 3135 and 3136. An installment agreement under this section must be considered an agreement under section 3125 and a court order to pay under section 3126-A. In addition to other penalties provided by law, the court may impose on the defendant reasonable costs for any failure to appear.

This subsection takes effect October 1, 2021.

**Sec. 3. 14 MRSA §3142, sub-§1, ¶C**, as amended by PL 2003, c. 414, Pt. B, §26 and affected by c. 614, §9 and PL 2005, c. 397, Pt. A, §§51 and 52, is further amended to read:

C. The suspension of any license, certification, registration, permit, approval or other similar document evidencing the granting of authority to hunt, fish or trap or to engage in a profession, occupation, business or industry, not including a registration, permit, approval or similar document evidencing the granting of authority to engage in the business of banking pursuant to Title 9-B or, except as provided in paragraph D, a motor vehicle license or permit issued by the Secretary of State, the right to operate a motor vehicle in this State and the right to apply for or obtain a license or permit, as provided in Title 29-A. Licenses and registration subject to suspension include, but are not limited to:

- (1) Licenses issued by the Commissioner of Marine Resources, as provided in Title 12, section 6409;
- (2) Licenses issued by the Commissioner of Inland Fisheries and Wildlife, as provided in Title 12, section 10902, subsection 3; and
- (3) Watercraft, snowmobile and all-terrain vehicle registrations, as provided in Title 12, section 10902, subsection 3; and
- (4) ~~Motor vehicle licenses or permits issued by the Secretary of State, the right to operate a motor vehicle in this State and the right to apply for or obtain a license or permit, as provided in Title 29-A, section 2605.~~

This paragraph is repealed October 1, 2021;

**Sec. 4. 14 MRSA §3142, sub-§1, ¶D** is enacted to read:

D. A restricted license as provided in Title 29-A, section 2605-A.

This paragraph is repealed October 1, 2021; or

**Sec. 5. 14 MRSA §3142, sub-§1, ¶E** is enacted to read:

E. The suspension of any license, certification, registration, permit, approval or other similar document evidencing the granting of authority to hunt, fish or trap or to engage in a profession, occupation, business or industry, not including a registration, permit, approval or similar document evidencing the granting of authority to engage in the business of banking pursuant to Title 9-B. Licenses and registration subject to suspension include, but are not limited to:

- (1) Licenses issued by the Commissioner of Marine Resources, as provided in Title 12, section 6409;
- (2) Licenses issued by the Commissioner of Inland Fisheries and Wildlife, as provided in Title 12, section 10902, subsection 3;
- (3) Watercraft, snowmobile and all-terrain vehicle registrations, as provided in Title 12, section 10902, subsection 3; and
- (4) Motor vehicle licenses or permits issued by the Secretary of State, the right to operate a motor vehicle in this State and the right to apply for or obtain a license or permit, as provided in Title 29-A, section 2605.

This paragraph takes effect October 1, 2021.

**Sec. 6. 14 MRSA §3146**, as enacted by PL 1987, c. 414, §2, is repealed.

**Sec. 7. 14 MRSA §3146-A** is enacted to read:

**§3146-A. Exemptions**

Beginning October 1, 2021, the exemptions from attachment and execution specified in sections 4421 to 4426 do not apply to the collection of fines covered by this chapter.

**Sec. 8. 29-A MRSA §2605, sub-§1**, as amended by PL 2013, c. 482, §8, is further amended to read:

**1. Suspension by clerk.** If a person fails to appear in court on the date and time specified in response to a Uniform Summons and Complaint, a summons, a condition of bail or order of court for any criminal violation of Title 23, section 1980; a civil violation under Title 28-A, section 2052; a civil violation under this Title; or any criminal provision of this Title, ~~or for any further appearance ordered by the court, including one for the payment of a fine, either in person or by counsel,~~ or fails to pay a fine imposed for a criminal traffic offense, the clerk shall suspend the person's license or permit, the right to operate a motor vehicle in this State and the right to apply for or obtain a license or permit. The court shall immediately notify that person of the suspension by regular mail or personal service. Written notice is sufficient if sent to the person's last known address.

If a person who is not an individual fails to appear or pay a fine in a civil violation under this Title or a criminal traffic offense, the clerk shall suspend the registration of the motor vehicle involved in the offense or that person's right to operate that vehicle in the State.

This subsection is repealed October 1, 2021.

**Sec. 9. 29-A MRSA §2605, sub-§1-A** is enacted to read:

**1-A. Suspension by clerk.** If a person fails to appear in court on the date and time specified in response to a Uniform Summons and Complaint, a summons, a condition of bail or order of court for any criminal violation of Title 23, section 1980; a civil violation under Title 28-A, section 2052; a civil violation under this Title; or any criminal provision of this Title, or for any further appearance ordered by the court, including one for the payment of a fine, either in person or by counsel, or fails to pay a fine imposed for a criminal traffic offense, the clerk shall suspend the person's license or permit, the right to operate a motor vehicle in this State and the right to apply for or obtain a license or permit. The court shall immediately notify that person of the suspension by regular mail or personal service. Written notice is sufficient if sent to the person's last known address.

If a person who is not an individual fails to appear or pay a fine in a civil violation under this Title or a criminal traffic offense, the clerk shall suspend the registration of the motor vehicle involved in the offense or that person's right to operate that vehicle in the State.

This subsection takes effect October 1, 2021.

**Sec. 10. 29-A MRSA §2605-A** is enacted to read:

**§2605-A. Restricted license on nonappearance or nonpayment of fine**

**1. Restricted license.** If a person fails to appear in court on the date and time specified by the court for the payment of a fine, either in person or by counsel, upon order of the court, the clerk shall restrict the person's license or permit and the right to operate a motor vehicle in this State to authorize the person to operate a motor vehicle:

A. Between the residence and a place of employment or in the scope of employment, or both;

B. If the person is not employed and is seeking employment, between the residence and an employment office or a site of an employment interview; or

C. Between the residence and an educational facility attended by the person.

**2. Notification by Secretary of State.** On receipt of a copy of an order of a restriction under this section, the Secretary of State shall immediately notify the person of the restriction by regular mail or personal service.

**3. Effect of restriction.** A court-ordered restriction under this section has the same force and effect as if issued by the Secretary of State. The restriction remains in effect until the person appears, either in person or by counsel, or pays the fine.

**4. Repeal.** This section is repealed October 1, 2021.