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Testimony of Rep. Bill Pluecker introducing

LD 429, An Act to Reclassify Certain Offenses Under the Motor Vehicle Laws and Increase the Efficiency of the Criminal Justice System *Before the Joint Standing Committee on Criminal Justice and Public Safety*

Once again, thank you Sen. Beebe-Center, Rep. Salisbury and the Criminal Justice and Public Safety committee for the opportunity to present LD 429, "An Act to Reclassify Certain Motor Vehicle Offenses Under the Motor Vehicle Laws and Increase the Efficiency of the Criminal Justice System."

This is the second half of the original bill that was originally LD 1604 from the 130th. It deals with motor vehicle offenses. Once again it has the support of the Secretary of State's office, Maine State Police, the Maine Prosecutor's Association, and the Maine Association of Criminal Defense Attorneys. The Secretary of State's office has submitted an amendment that clarifies that it is still a crime to Operate after Suspension if that suspension was caused by an OUI or because a crime resulting in a grievous injury or death was the cause of the suspension. This was the issue that caused a divide on the committee last year. I was on the committee at the time and recall the debate. There is also a recommended amendment from the Maine State Police to ensure they maintain their authority to tow cars in all situations.

Some of the crimes that are touched on in this bill: Motor vehicle registration certificates and plates and driver's licenses; Removal of a vehicle without the consent of the owner or person in charge of the property where the vehicle is located; Unlawful ownership or display of a revoked, fictitious or fraudulently altered driver's license or identification card; Unlawful use of a driver's license or an identification card; or Improper use of registration plates. These are all things we want to stop but it is not necessary for each to be a crime. ~~As with the earlier bill, if someone commits these civil offenses three times in a five year period, then they will be charged with the appropriate crime.~~

The rationale for this bill is very similar to LD 428. The judicial system is clogged with low level crime violations that would be better resolved as civil penalties. We can achieve the same results and at the same time start to move some of the backlog in the courts.

This bill will have multiple amendments submitted, which is inherent to having a bill that has brought so many authorities into agreement. I hope the committee can maintain its eye on the prize of reducing the workload for our judicial system while also dissuading people from

committing crime. The more areas we are able to touch the more effective the bill will be in the long term.