

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by inserting after the title and before the enacting clause the following:

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, in the interest of ensuring the public safety on our roads, the Legislature passed a number of changes to the operating after suspension and habitual offender laws during the Second Regular Session of the 122nd Legislature; and

Whereas, corrections proposed in this Act will carry out the intent of the recent law by incorporating changes inadvertently omitted and will clarify the application of other existing law; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,'

Amend the bill in section 5 in subsection 1 in the last 2 lines (page 2, lines 11 and 12 in L.D.) by striking out the following: "The Secretary of State may then impose the longer period of revocation provided in subsection 2." and inserting the following: 'If the court fails to revoke the license, the Secretary of State shall impose a 5-year revocation, unless the longer period of revocation under subsection 2 is imposed.'

Amend the bill by adding before the summary the following:

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.'

SUMMARY

This amendment adds an emergency preamble and emergency clause to the bill to ensure that omissions in changes to the operating after suspension and habitual offender laws enacted pursuant to Public Law 2005, chapter 606 are immediately corrected. The amendment also clarifies that the Secretary of State's authority to impose license revocation is not changed. If the court fails to revoke a license for criminal homicide or attempted criminal homicide, the Secretary of State shall impose a 5-year revocation, unless a longer revocation is imposed under the Maine Revised Statutes, Title 29-A, section 2454, subsection 2.

FISCAL NOTE REQUIRED

(See attached)