

128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 671

S.P. 233

In Senate, February 28, 2017

An Act To Allow for Accurate Credit for a License Suspension for Operating under the Influence

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

HEATHER J.R. PRIEST Secretary of the Senate

Presented by Senator KATZ of Kennebec.

Cosponsored by Representative CAMPBELL of Orrington and

Senators: DION of Cumberland, ROSEN of Hancock, Representative: POULIOT of Augusta.

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

- **Sec. 1. 29-A MRSA §2413, sub-§3,** as repealed and replaced by PL 2005, c. 683, Pt. B, §23, is amended to read:
- **3. Penalties.** In addition to any other penalty, the court shall suspend the driver's license of a person convicted under subsection 1 for not less than 30 days nor more than 180 days, which minimum may not be suspended. In addition to any other penalty, the court shall suspend the driver's license of a person convicted under subsection 1-A for not less than 180 days nor more than 2 years, which minimum may not be suspended. If the court fails to suspend the license, the Secretary of State shall impose the minimum period of suspension. The court shall impose a sentencing alternative that involves a fine of not less than \$575, which may not be suspended. If a person's license is suspended under section 2453 or 2453-A arising out of the same occurrence, the period of time the license has been suspended under section 2453 or 2453-A prior to conviction must be deducted from the period of suspension under this subsection.

15 SUMMARY

This bill provides that if the Secretary of State administratively suspends a person's license for operating a motor vehicle with an excessive alcohol level or for operating a motor vehicle under the influence of drugs, the amount of time the license was administratively suspended must be deducted when suspending that person's license after a conviction.