

§2556. Work-restricted license for habitual offender

1. Definition. For purposes of this section, a "work-restricted license" is a license to operate a motor vehicle between a residence and a place of employment, in the scope of employment, or both, as determined by the Secretary of State.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

2. Petition. An habitual offender whose license has been revoked pursuant to section 2552 may petition the Secretary of State for a work-restricted license only after the expiration of 18 months from the date the license was revoked pursuant to section 2552.

[PL 2001, c. 514, §3 (AMD).]

3. Stay. On receipt of the petition, the Secretary of State may stay the revocation and issue a work-restricted license. In deciding whether to issue a work-restricted license, the Secretary of State may consider the petitioner's need.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

4. Ineligibility. A person is not eligible for a work-restricted license if habitual offender status is based on a conviction or adjudication under former section 2551, section 2551-A, subsection 1, paragraph A, subparagraph (1), former section 2557, section 2557-A or section 2558 or the revocation is issued pursuant to section 2555.

[PL 2005, c. 606, Pt. A, §9 (AMD).]

5. Eligibility. If a conviction is based on former section 2551 or section 2551-A, subsection 1, paragraph A, subparagraph (2), the person must have completed the period of suspension required for the OUI conviction and the Secretary of State must have received written notice that the person has satisfactorily completed the alcohol and drug program.

[PL 2013, c. 381, Pt. A, §5 (AMD).]

6. Revocation of work-restricted license. The Secretary of State shall revoke, without preliminary hearing, the license of a person who is adjudicated or convicted of a violation of the provisions of this Title committed during the period of a work-restricted license or who violates a restriction or condition of the license.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

7. Stay vacated. On revocation of the work-restricted license, the stay of revocation issued pursuant to this section is immediately vacated.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

8. Hearing. An habitual offender whose work-restricted license has been revoked may request a hearing within 30 days of the revocation.

A stay of revocation may not be issued pending a hearing.

If, after the hearing, the Secretary of State finds that the person is not the same person named in the transcript or abstract, the revocation must be stayed and a work-restricted license must be reissued.

If the Secretary of State finds that the person is the same person named in the transcript or abstract, the revocation must be invoked.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

9. New offense. An habitual offender who is adjudicated or convicted of a violation of the provisions of this Title while operating under a work-restricted license is not entitled to any further relief during the remaining term of the revocation.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1999, c. 641, §1 (AMD). PL 2001, c. 514, §3 (AMD). PL 2005, c. 606, §§A9,B7 (AMD). PL 2013, c. 381, Pt. A, §5 (AMD).

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