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An Act To Amend the Law Governing Administrative Suspensions of Driver's Licenses

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

Sec. 1. 29-A MRSA §2503, sub-§1, as amended by PL 1997, c. 737, §21, is further amended to read:

1. Administrative suspension; work-restricted license. On receipt of a petition for a workrestricted license from a person under suspension pursuant to ~~section 2453 or section 2472, subsection 3, paragraph B~~ for a first offense this chapter, the Secretary of State may stay a suspension during the statutory suspension period and issue a workrestricted license, if the petitioner shows by clear and convincing evidence that:

A. As determined by the Secretary of State, a license is necessary to operate a motor vehicle:

(1) Between the residence and a place of employment or in the scope of employment, or both; or

(2) Between the residence and an educational facility attended by the petitioner ~~if the suspension is under section 2472, subsection 3, paragraph B~~ for a first offense;

B. No alternative means of transportation is available; and

C. The petitioner has not, within 10 years, been under suspension for an OUI offense ~~or pursuant to section 2453~~ under this chapter.

The Secretary of State may not issue a work-restricted license to a person whose license has been revoked by court order without providing notice to the court in writing of the Secretary of State's action. In issuing a work-restricted license to a person under revocation, the Secretary of State may impose any conditions and restrictions the Secretary of State determines necessary to ensure the safety of the public.

SUMMARY

Current law gives the Secretary of State authority to stay a suspension of a driver's license during the statutory suspension period and issue a work-restricted license on receipt of a petition for a work-restricted license for a person under suspension for operating a motor vehicle with an excessive alcohol level or for a person with a juvenile provisional license under suspension for operating a motor vehicle with an alcohol level of more than 0.00 grams per 100 milliliters of blood or 210 liters of breath.

This bill gives the Secretary of State authority to stay a suspension during the statutory suspension period and issue a work-restricted license on receipt of a petition for a work-restricted license for a person

under suspension for any offense under the Maine Revised Statutes, Title 29A, chapter 23. The bill also provides that the Secretary of State may not issue a work-restricted license to a person whose license has been revoked by court order without providing written notice to the court. The bill provides that the Secretary of State, in issuing a work-restricted license to a person under revocation, may impose any conditions and restrictions the Secretary of State determines necessary to ensure the safety of the public.