



128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 225

S.P. 71

In Senate, January 24, 2017

**An Act To Curb Drunk Driving by Prohibiting a Person Convicted
of Operating Under the Influence from Purchasing Alcohol**

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

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator BREEN of Cumberland.
Cosponsored by Senator: LIBBY of Androscoggin, Representatives: McLEAN of Gorham,
TUCKER of Brunswick.

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

2 **Sec. 1. 29-A MRSA §2411, sub-§5-C** is enacted to read:

3 **5-C. Discretionary penalty.** In sentencing a person for a violation of this section, in
4 addition to any penalties provided for under subsections 5 and 5-B, the court may order as
5 a penalty that the person is prohibited from purchasing alcoholic beverages for the time
6 period of the OUI suspension.

7 **Sec. 2. 29-A MRSA §2451, sub-§6** is enacted to read:

8 **6. Notice to driver; notation on driver's license prohibiting purchase of alcoholic**
9 **beverages.** On receipt of an attested copy of a court record of a prohibition from
10 purchasing alcoholic beverages pursuant to section 2411, subsection 5-C, the Secretary of
11 State shall immediately record the order prohibiting the purchase of alcoholic beverages
12 and shall send written notice of the suspension to the person whose license has been
13 suspended. The Secretary of State shall adopt rules to provide for notice to the person
14 and to provide for a notation to be placed on the person's driver's license indicating the
15 order prohibiting the purchase of alcoholic beverages. Rules adopted pursuant to this
16 subsection are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

17 **SUMMARY**

18 This bill provides an additional penalty for operating under the influence of
19 intoxicants or with an excessive alcohol level. The bill allows the court, when sentencing
20 a person for criminal operating under the influence, to impose an order prohibiting the
21 person from purchasing alcoholic beverages for the time period of the suspension. The
22 bill requires the Secretary of State, upon receiving an attested copy of the court order, to
23 record the order and notify the person. The bill directs the Secretary of State to adopt
24 rules regarding notice to the person and notation on the person's driver's license of the
25 prohibition and designates the rules as routine technical rules.