

125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 1090

S.P. 323

In Senate, March 15, 2011

An Act To Allow a Stay of an Administrative License Suspension for Refusal To Submit to a Test

Reference to the Committee on Transportation suggested and ordered printed.

Joseph G. Carleton Jr.
JOSEPH G. CARLETON, JR.

Secretary of the Senate

Presented by Senator GERZOFSKY of Cumberland.

1	Be it enacted by the People of the State of Maine as follows:
2	Sec. 1. 29-A MRSA §2483, sub-§4-A is enacted to read:
3 4 5 6 7	4-A. Stay after failure to submit to test. When a hearing is requested by a petitioner under this section and the petitioner is not entitled to a stay of the suspension pending the hearing due to failure to submit to a test at the request of a law enforcement officer, if the hearing is postponed or otherwise continued by a person other than the petitioner or a cause not attributable to the petitioner, the suspension must be stayed until
8	a hearing is held and a decision is issued. SUMMARY
10 11 12 13	This bill requires a stay of suspension of a driver's license pending a hearing on the suspension by the Secretary of State for a person who is not entitled to a stay due to refusing to submit to a sobriety test if the hearing is postponed or otherwise continued by someone else or for a cause not attributable to the person.