**§2401. Definitions**

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

**1. Alcohol and drug program.** "Alcohol and drug program" means the alcohol and other drug education, evaluation and treatment program administered by the Department of Health and Human Services under Title 5, chapter 521, subchapter 5.
[PL 2011, c. 657, Pt. AA, §77 (AMD).]

**2. Alcohol level.** "Alcohol level" means either grams of alcohol per 100 milliliters of blood or grams of alcohol per 210 liters of breath.
[PL 2009, c. 447, §32 (AMD).]

**3. Chemical test or test.** "Chemical test" or "test" means a test or tests used to determine alcohol level or the presence of a drug or drug metabolite by analysis of blood, breath or urine.
[PL 2013, c. 459, §1 (AMD).]

**4. Drugs.** "Drugs" means scheduled drugs as defined under Title 17-A, section 1101. The term "drugs" includes any natural or artificial chemical substance that, when taken into the human body, can impair the ability of the person to safely operate a motor vehicle.
[PL 1995, c. 145, §1 (AMD).]

**5. Failure to submit to a test, fails to submit to a test or failed to submit to a test.** "Failure to submit to a test," "fails to submit to a test" or "failed to submit to a test" means failure to comply with the duty to submit to and complete a chemical test under section 2521 or 2525.
[PL 1995, c. 368, Pt. AAA, §4 (AMD).]

**5-A. Ignition interlock device.** "Ignition interlock device" means a device that connects a breath analyzer to a motor vehicle's ignition system. The analyzer monitors the concentration of alcohol in the breath of any person who attempts to start the motor vehicle by using the ignition system. The device prevents the vehicle from starting unless the person provides a breath sample with a concentration of alcohol that is below a preset level.
[PL 2007, c. 531, §1 (REEN); PL 2007, c. 531, §10 (AFF).]

**6. Operating.** "Operating," in any form, means operating or attempting to operate a motor vehicle.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

**7. OAS.** "OAS" means to operate after the Secretary of State or a court has suspended the driver's license.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

**8. OUI.** "OUI" means operating under the influence of intoxicants or with an excessive alcohol level under section 2411, 2453, 2453-A, 2454, 2456, 2457 or 2472.
[PL 2011, c. 335, §2 (AMD).]

**9. OUI conviction.** "OUI conviction" means a conviction for:

A. A violation of section 2411; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. A violation of a juvenile crime defined in Title 15, section 3103, subsection 1, paragraph A for conduct that, if committed by an adult, would be considered criminal under section 2411 or defined as Class B or C crimes under this Title; [PL 2025, c. 431, §25 (AMD).]

C. Violation of former Title 29, section 1312, subsection 10 or section 1312-B; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

D. In a jurisdiction that is a party to the Driver License Compact established in chapter 11, subchapter V, an offense described in the compact, section 1454, subsection 1, paragraph B, or an offense that is similar as provided by section 1454, subsection 3; [PL 1995, c. 65, Pt. A, §113 (AMD); PL 1995, c. 65, Pt. A, §153 (AFF); PL 1995, c. 65, Pt. C, §15 (AFF).]

E. In a tribal court of the Penobscot Nation or the Passamaquoddy Tribe, a court of the United States or a court of a state that is not a party to the compact, an offense for which punishment includes the possibility of incarceration, whether or not actually imposed, and the elements of the offense as provided in the law of that jurisdiction include operation of a motor vehicle while intoxicated, impaired or under the influence of alcohol, intoxicating liquor or drugs or with a level of alcohol sufficient for conviction under the laws of that jurisdiction; or [PL 2009, c. 447, §35 (AMD).]

F. An adjudication or other determination made under the juvenile laws of this State or of another jurisdiction for conduct that, if committed by an adult, would have been a conviction included in this subsection, including the conduct described in paragraph B. [PL 2025, c. 431, §26 (AMD).]

[PL 2025, c. 431, §§25, 26 (AMD).]

**10. OUI offender.** "OUI offender" means a person who receives an OUI conviction.

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

**11. OUI offense.** "OUI offense" means an OUI conviction or suspension for failure to submit to a test.

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

**12. OUI suspension.** "OUI suspension" means the suspension of a driver's license for an OUI conviction.

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

**13. Under the influence of intoxicants.** "Under the influence of intoxicants" means being under the influence of alcohol, a drug other than alcohol, a combination of drugs or a combination of alcohol and drugs.

[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 1995, c. 65, §§A113,114 (AMD). PL 1995, c. 65, §§A153,C15 (AFF). PL 1995, c. 145, §1 (AMD). PL 1995, c. 368, §§AAA3-5 (AMD). PL 1995, c. 482, §A26 (AMD). PL 1999, c. 470, §27 (AMD). PL 2007, c. 531, §1 (AMD). PL 2007, c. 531, §10 (AFF). PL 2009, c. 447, §§32-35 (AMD). PL 2011, c. 335, §2 (AMD). PL 2011, c. 657, Pt. AA, §77 (AMD). PL 2013, c. 459, §1 (AMD). PL 2025, c. 431, §§25, 26 (AMD).

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