

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act Regarding the Publication of Information Related to Persons Convicted of Operating under the Influence of Alcohol or Drugs**

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

**Sec. 1. 29-A MRSA §2411, sub-§7**, as amended by PL 2009, c. 447, §42, is further amended to read:

**7. Surcharge.** A surcharge must be charged for a conviction under this section. The surcharge is ~~\$30~~\$55, except that, when the person operated or attempted to operate a motor vehicle while under the influence of drugs or a combination of liquor and drugs, the surcharge is ~~\$125~~\$150. For the purposes of collection procedures, the surcharge is considered a fine. Notwithstanding section 2602, ~~this~~\$25 of this surcharge must be paid to the Department of Public Safety, State Bureau of Identification to pay for the cost of carrying out Title 34A, section 11301, and the remainder of the surcharge accrues to the Highway Fund for the purpose of covering the costs associated with the administration and analysis of alcohol level tests.

**Sec. 2. 34-A MRSA c. 17** is enacted to read:

### **CHAPTER 17**

#### **PUBLICATION OF INFORMATION RELATING TO ALCOHOL AND DRUG CONVICTIONS**

#### **§ 11301. Publication of information relating to a conviction of operating under the influence**

**1. Publication required.** The Department of Public Safety, State Bureau of Identification, referred to in this section as "the bureau," shall publish on the publicly accessible website of the State the following information regarding a conviction for or a plea of no contest to an offense under Title 29A, section 2411:

- A. The name of the defendant;
- B. The municipality of residence of the defendant;
- C. The offense;
- D. The date of the offense;
- E. The location of the offense;
- F. The blood-alcohol level of the defendant or the drug used by the defendant; and

G. A photograph of the defendant.

The bureau shall provide a link to this information on the home page of the publicly accessible website of the State. The bureau shall update this information at least once per month.

**2. Time limit.** The bureau shall publish the information described in subsection 1 for 6 months for a first offense, 2 years for a 2nd offense and 10 years for a 3rd offense.

## SUMMARY

This bill requires the Department of Public Safety, State Bureau of Identification to publish information on the website of the State related to persons pleading no contest to or convicted of operating under the influence of alcohol or drugs to be paid for by a \$25 surcharge assessed on every conviction.