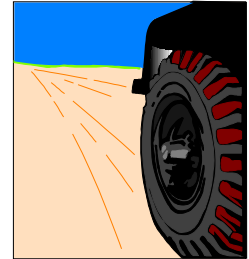


Operating After Suspension

Chapter 5

Driver’s license suspensions are often initiated due to a history of unsafe driving practices. Young drivers are more susceptible to license suspension due to provisions in the state’s graduated driver’s license program. Unfortunately, some drivers with suspended licenses continue to drive despite demonstrating that they cannot drive safely.



Maine recently enacted a law that redefines which drivers are covered by mandatory minimum sentences. Known as “Tina’s Law”, the new statute creates the crime of Aggravated Operating after Habitual Offender Revocation and imposes new penalties.

- For habitual offenders who drive drunk, drive to endanger or commit other serious offenses after having their licenses revoked or suspended, mandatory penalties range from \$500 to \$3,000 and six months to five years in jail.
- The courts can sentence a driver to up to five years and order fines of up to \$5,000 for causing a crash in which another person is injured. A driver causing a fatality could spend ten years in prison and pay up to \$20,000 in fines.

Suspensions can also be initiated due to other violations such as failure to pay child support. This diversity in suspension causes makes it difficult to link suspension types to crash outcomes, but regardless, the number of Maine license suspensions and the related crashes and fatalities are significant.

The data suggests that suspended drivers are more likely to engage in behaviors that result in more serious crashes.

- Since 2003, the percentage of crashes where a driver was suspended averaged 2.1%. During this same period the percentage of fatal crashes where a driver was suspended averaged 7.4%.

Crashes Involving Driver with Suspended Licenses

| Year | ALL Maine Crashes | Suspended Crashes | % of Susp. Crashes | ALL Maine Fatalities | Suspended Fatafs | % of Suspended Fatafs |
|--------------|-------------------|-------------------|--------------------|----------------------|------------------|-----------------------|
| 2003 | 35,562 | 798 | 2.2% | 204 | 9 | 4.4% |
| 2004 | 35,151 | 851 | 2.4% | 192 | 20 | 10.4% |
| 2005 | 34,196 | 705 | 2.1% | 169 | 17 | 10.1% |
| 2006 | 31,626 | 675 | 2.1% | 188 | 12 | 6.4% |
| 2007 | 33,077 | 779 | 2.4% | 183 | 16 | 8.7% |
| 2008 | 31,330 | 577 | 1.8% | 155 | 4 | 2.6% |
| 2009 | 28,692 | 607 | 2.1% | 159 | 14 | 8.8% |
| Total | 229,634 | 4,992 | 2.2% | 1,250 | 92 | 7.4% |

| | | |
|-------------|--------------|-------------|
| 5YAA | 668.6 | 2.1% |
|-------------|--------------|-------------|

| | |
|-------------|-------------|
| 12.6 | 7.4% |
|-------------|-------------|

Maine Licensed Drivers: 1,016,827