

§2464. Causing serious bodily injury or death while license is suspended or revoked

1. Accident involving injury; penalty. A person who, while knowingly operating with a suspended or revoked license, in fact causes serious bodily injury as defined in Title 17-A, section 2, subsection 23 to another person commits a Class C crime.

[PL 2005, c. 606, Pt. A, §5 (NEW).]

2. Accident involving death; penalty. A person who, while knowingly operating with a suspended or revoked license, in fact causes the death of another person commits a Class B crime.

[PL 2005, c. 606, Pt. A, §5 (NEW).]

3. Pleading and proof. The State must prove that the defendant's operation of the motor vehicle caused the serious bodily injury under subsection 1 or death under subsection 2. The court shall apply Title 17-A, section 33 in assessing any causation under this section.

[PL 2005, c. 606, Pt. A, §5 (NEW).]

4. License suspension. Upon receipt of notice of conviction, the Secretary of State shall immediately suspend the license of a person who violates subsection 1 or 2. Notwithstanding any provision of law that imposes a period of license suspension shorter than that specified in this subsection, a person who violates this section is subject to the following period of license suspension:

A. For a violation of subsection 1, 5 years; and [PL 2005, c. 606, Pt. A, §5 (NEW).]

B. For a violation of subsection 2, 10 years. [PL 2005, c. 606, Pt. A, §5 (NEW).]

The period of suspension imposed pursuant to this subsection is consecutive to any suspension previously imposed by the Secretary of State or the court pursuant to this chapter.

[PL 2005, c. 606, Pt. A, §5 (NEW).]

SECTION HISTORY

PL 2005, c. 606, §A5 (NEW).

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