

HIGH MEANS DUI STATE LAWS SUMMARY



MAINE (2016)

- Maine also uses Drug Recognition Experts (DRE) in the field to identify marijuana impaired drivers.
- If there is probable cause to believe a person has operated a motor vehicle while under the influence of intoxicants, that person shall submit to and complete a test to determine an alcohol level and drug concentration by analysis of blood, breath or urine. The law enforcement officer shall administer a breath test of his choosing unless, in that officer's determination, a breath test is unreasonable.
- Before the chemical tests, the officer must notify the driver of the consequences of refusing to submit to the tests. However, a test result may not be excluded as evidence solely as a result of the failure of the law enforcement officer to provide the warnings.
- Refusal of test shall result in immediate suspension of license for 275 days, and will be considered an aggravating factor at sentencing. Failure of a person to submit to a chemical test is admissible in evidence on the issue of whether that person was under the influence of intoxicants.
- This state has a per se drugged driving law enacted. In their strictest form, these laws forbid drivers from operating a motor vehicle if they have a detectable level of an illicit drug or drug metabolite (i.e., compounds produced from chemical changes of a drug in the body, but not necessarily psychoactive themselves) present in their bodily fluids above a specific, state-imposed threshold.