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**Public Law**  
123rd Legislature  
First Regular Session

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**Chapter 2**  
**H.P. 362 - L.D. 478**

**An Act Regarding the Certification of the Required Driving Time for a License for Certain Persons under 21 Years of Age**

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** current law authorizes the parent, stepparent, guardian, spouse or employer of a person under 21 years of age who is applying for a driver's license to certify the driving log of the applicant; and

**Whereas,** current law makes no provision for a person under 21 years of age who is without a parent, stepparent, guardian, spouse or employer to have a driving log certified; and

**Whereas,** the bill authorizes the Secretary of State to accept certification from the licensed driver who accompanied an applicant for a driver's license if the applicant is at least 18 years of age and is without a parent, stepparent, guardian, spouse or employer; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. 29-A MRSA §1304, sub-§1, ¶H,** as amended by PL 2003, c. 286, §1, is further amended to read:

H. A person under 21 years of age may not apply for a license unless:

(1) A period of 6 months has passed from the date the person was issued an instruction permit; and

(2) The person has completed a minimum of 35 hours of driving, including 5 hours of night driving, while accompanied by a parent, guardian or licensed driver at least 20 years of age. The parent, stepparent or guardian, or a spouse or employer pursuant to section 1302, subsection 1, paragraphs B and C, must certify the person's driving time on a form prescribed by the Secretary of State. A parent, stepparent, guardian, spouse or employer who certifies a driving log pursuant to this subsection and was not the licensed driver accompanying the applicant must provide the

name and address of the licensed driver who accompanied the applicant for the majority of the 35 hours of driving. The Secretary of State may complete the certification for an applicant at least 18 years of age and who has no parent, stepparent, guardian, spouse or employer if the applicant provides the name and address of the licensed driver who accompanied the applicant for the majority of the 35 hours of driving.

A person 21 years of age or older is not required to submit certification of driving time to the Secretary of State.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective February 13, 2007.