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Date: (Filing No. S-)

TRANSPORTATION

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**STATE OF MAINE
SENATE
130TH LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 65, L.D. 130, “An Act To Create Appropriate Standards for the Secretary of State To Follow When Approving the Assignments of Vanity Registration Plates”

Amend the bill by striking out everything after the enacting clause and inserting the following:

Sec. 1. 29-A MRSA §453, sub-§3-A, as amended by PL 2019, c. 397, §4, is further amended to read:

3-A. Restrictions. The Secretary of State may refuse to issue or may recall a vanity registration plate issued under this section that:

- C. Falsely suggests an association with a public ~~institutions~~ institution or a government or government agency;
- D. Is duplicative; ~~or~~
- E. Consists of language that encourages violence or may result in an act of violence or other unlawful activity because of the content of the language requested by the registrant;
- F. Is profane or obscene;
- G. Makes a derogatory reference to age, race, ethnicity, sex, sexual orientation, gender identity, ancestry or national origin, religion or physical or mental disability;
- H. Connotes genitalia or relates to sexual acts; or
- I. Forms a slang term, abbreviation, phonetic spelling or mirror image of a word or term otherwise described in this subsection.

Sec. 2. 29-A MRSA §453, sub-§3-B is enacted to read:

3-B. Appeals. An individual may appeal the Secretary of State's decision to refuse to issue or decision to recall a vanity registration plate pursuant to subsection 3-A. The individual must file the appeal within 14 days from the date of the Secretary of State's initial

COMMITTEE AMENDMENT

1 decision with the vehicle services division of the bureau. In addition to following general
2 hearing procedures as prescribed by section 2484, the appeal process must adhere to the
3 same adjudicatory proceedings process, including notice, evidentiary standard and public
4 participation provisions, as outlined in Title 5, chapter 375, subchapter 4.

5 **Sec. 3. 29-A MRSA §453, sub-§3-C** is enacted to read:

6 **3-C. Rules.** The Secretary of State may adopt routine technical rules pursuant to Title
7 5, chapter 375, subchapter 2-A to implement the provisions of this section.'

8 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
9 number to read consecutively.

10 SUMMARY

11 This amendment is the majority report of the committee. The amendment strikes and
12 replaces the bill and limits the vanity registration plates the Secretary of State may refuse
13 to issue or may recall to plates that:

- 14 1. Falsely suggest an association with a public institution or government;
- 15 2. Are duplicative;
- 16 3. Encourage violence or contain language that may result in an act of violence or
17 other unlawful activity because of the content of the language;
- 18 4. Are profane or obscene;
- 19 5. Make derogatory references;
- 20 6. Connote genitalia or relate to sexual acts; or
- 21 7. Form a slang term, abbreviation, phonetic spelling or mirror image of a word or
22 term within any of the other categories.

23 This amendment also creates an appeals process for a person for whom the Secretary
24 of State has refused to issue or recalled a vanity registration plate.

25 FISCAL NOTE REQUIRED

26 (See attached)