



**Department of the Secretary of State  
Bureau of Motor Vehicles**

*Shenna Bellows*  
Secretary of State  
State

*Catherine Curtis*  
Deputy Secretary of

February 12, 2026

The Honorable Craig Hickman, Senate Chair  
The Honorable Anne-Marie Mastraccio, House Chair  
Joint Standing Committee on Government Oversight  
c/o Office of Program Evaluation and Government Accountability  
82 State House Station  
Augusta, ME 04333

Dear Senator Hickman, Representative Mastraccio, and Members of the Government Oversight Committee,

The mission of the Bureau of Motor Vehicles is to protect public safety on Maine roadways. We are committed to continuous improvement of customers' experience to improve accessibility and reliability; a positive employee experience where our employees are experts, valued and empowered to serve the public; investment in trusted technologies to improve efficiency and security; and ever safer roadways by supporting improvements to driver education, driver behavior and vehicle safety initiatives. Roadway safety is our north star.

We are proud of our ongoing work to safeguard the integrity of our programs and the safety of our roadways. Every roadway fatality is a tragedy, and our hearts go out to everyone who has lost a loved one in a crash.

Pursuant to your request, I am happy to provide the following information to answer your questions about driver education and driver licensing in Maine.

*1. What is the pass rate for immigrants who bring interpreters?*

Broadly speaking, state-wide pass rates of the written exam for customers with an interpreter are consistent with pass rates of customers who do not use an interpreter. Of the total 13,889 non-Commercial Driver License (CDL) written examinations conducted across the state in 2025 without an interpreter, 72% of applicants passed the exam. For the 2,416 applicants with an interpreter, 70% passed the written exam during the same period.

2. *Is there any statistical difference in the evidence of cheating between citizens and non-citizens who are trying to receive a permit or license?*

This is not an area of current data collection. If an examiner suspects cheating, they are empowered to stop the exam.

3. *How many interpreters, brought in by the applicant seeking a permit, fill out the 81 Form, the form with their credentials, are the interpreters paid by the applicant for their services, and how often do individual interpreters provide their services?*

All interpreters are required to complete an MV-81 form prior to providing translation services during an exam. Driver License Examiners capture those forms which are scanned into our licensing system attached to the applicant's record. We do not capture any information on fee charged or paid by the examinee to the interpreter for their services. In 2025, we supported an average of 264 interpreted exams per month, state-wide. This includes all languages, including American Sign Language requests, as well as accommodations for various learning styles.

4. *What is the difference between fraud and cheating?*

We are unaware of a uniform definition for either "fraud" or "cheating" in Maine law; rather, if those terms are utilized, they depend on statutory context. For example, cheating is not addressed in the motor vehicle laws in 29-A MRSA in the specific context of a driving examination. That being said, we have identified the following examples of how fraud is defined:

29-A MRSA §2103 defines crimes associated with fraud or falsity on documents submitted to the BMV. One provision states that a person commits a Class E crime if they knowingly make a

*“...material misstatement of fact on an application or document submitted in support of an application for a license, certificate, permit, examination, identification card, use decal, placard or any other document requesting action from the Secretary of State...”* 29-A M.R.S.A. §2103(1)(A) (emphasis added).

This limiting language refers to information provided on a license application, not necessarily to conduct in an exam room.

BMV requires exam interpreters to complete an MV-81 form, titled "Oral Test Attestation" as part of each exam they support. On the MV-81, the interpreter certifies that,

*“the answers given on this examination were supplied by the applicant, and that no answers were given nor corrections made by me. ‘I am aware that false statements on this form are punishable under the provisions of 17-A MRSA §453 as a Class D crime.’”*

17-A M.R.S.A. §453 establishes that a person is guilty of a Class D crime of unsworn falsification if they make

*“a written false statement which he does not believe to be true, on or pursuant to, a form conspicuously bearing notification authorized by statute or regulation to the effect that false statements made therein are punishable...”* 17-A M.R.S.A. §453(1)(A).

5. *What is the permit test pass rate for those who take driver’s education?*

We do not collect information related to written exam pass rates for students who take the written exam via a licensed driver’s education program. In Maine, driver education schools administer the written exam to students on behalf of the BMV. The BMV issues to licensed driver education schools multiple versions of a written exam to allow re-testing should a student not pass on the first attempt. BMV only receives course completion notification, which includes successful completion of the written exam.

6. *Does the Department accept a summons to a court date, even a summons for a removal process, as a valid documentation for legal presence in issuing driving permits in the State of Maine?*

As directed by statutes in Title 29-A, BMV reviews and confirms legal presence before issuing a nondriver identification card (§1410(8), (9)) or driver license (§1301(2-A)). BMV does not review or establish legal presence as part of the Class C driver license permit process, considering a driving permit is not an identity document and does not convey to the holder any privileges other than the right to learn how to drive under adult supervision. Currently, legal presence is reviewed after successful completion of the road test, when the customer comes back into the branch to have their photo taken and have the driver license issued, pursuant to 29-A M.R.S.A. §1301.

In the summer of 2025, we identified a plan to adjust this process to make a legal presence determination earlier in the Class C driver license permit process. The change is important, but substantial, and will require some modification of our digital licensing system. This project is currently slated to be started after we modernize our digital licensing system in June 2026.

7. *Have REAL IDs been issued based solely on someone having an EAD?*

With regard to what documents we accept, we adhere to all federal requirements when issuing a REAL ID. In fact, TSA authorizes state licensing agencies to submit an ‘exceptions policy’ for TSA approval, but in the first 6+ years of our REAL ID program, we have not pursued any

exceptions. Our training products explicitly call for a second document if an employment authorization document (EAD) is provided, and a record of a pending asylum application would count if provided with an EAD in certain circumstances. This is aligned with the federal government's REAL ID requirements.

*8. What would constitute “substantial evidence” of cheating on an exam?*

Our Examiners are empowered to stop an exam if they have reason to suspect that an applicant—with or without an interpreter—may be cheating. We expect our Examiners to handle that situation professionally and to report the matter to their supervisors for follow-up and review. As outlined above, Maine law does not define cheating in the context of driver education. Our department stands ready to work with the Transportation Committee in the 133<sup>rd</sup> Legislature for proposed changes in the law with regard to applicant cheating.

*9. Does Maine use all the standards that the federal government requires, or only the EAD standard?*

As outlined above, the BMV follows the federal REAL ID law without exception for issuance of REAL ID driver licenses and identification cards. We require a second document if the EAD is presented.

*10. Are you aware of any evidence of differences in accident rates based on immigration status?*

Looking back over 2025, we can see that 62,152 Maine drivers were involved in a crash<sup>1</sup>, out of a total population of nearly 1.2 million Maine permit and license holders (data as of 12/31/25). Limited term, non-citizen drivers in the BMV system were involved in 989 crashes in 2025, representing 1.5% of all drivers involved in crashes in 2025.<sup>2</sup>

*11. If an interpreter is signing the MV-81 form, stating that they’re an interpreter, with integrity, and if they were cheating, wouldn’t that be a form of fraud?*

Yes. BMV requires all exam interpreters to complete an MV-81 form, titled “Oral Test Attestation” as part of each exam they support. On the MV-81, the interpreter certifies that,

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<sup>1</sup> BMV data only reflect driver involvement in a crash; these numbers do *not* reflect responsibility for the crash.

<sup>2</sup> This data was not filtered to account for drivers with more than one crash during 2025.

*“the answers given on this examination were supplied by the applicant, and that no answers were given nor corrections made by me. ‘I am aware that false statements on this form are punishable under the provisions of 17-A MRSA §453 as a Class D crime.’”*

As noted, above, 17 M.R.S.A. §453, establishes that a person who makes “*a written false statement which he does not believe to be true, on or pursuant to, a form conspicuously bearing notification authorized by statute or regulation to the effect that false statements made therein are punishable*” is guilty of a Class D crime.

In order for the Bureau to hold accountable an interpreter or examinee under these sections, the guilt of the individual in question must be determined in court.

*12. Do you have a record of the investigation of interpreter cheating that was completed under the previous Secretary of State that the Committee could see to determine if the Committee believes it was thorough enough for the purposes of this conversation?*

Yes. Please see attached.

*13. Do you collect any data on the number of permitted drivers who have an accident while on permitted status?*

Yes, all crashes recorded in the Maine Crash Reporting System are digitally transmitted to the BMV License system and applied to the appropriate driver’s record. Please indicate if you would like this data and for what period.

*14. Has anyone in the State of Maine, as an asylum seeker, who only had a petition for asylum and a work permit, would they be allowed to obtain a REAL ID?*

Yes. Maine follows the federal law established by the REAL ID Act, which permits asylum seekers with a petition for asylum and a work permit (EAD) to hold a REAL ID driver license.

*15. If an individual has an H-1B visa, and applied for a REAL ID, would that person be authorized for a REAL ID under current processes?*

A standalone H-1B visa by itself is generally not sufficient proof on its own to establish legal presence for a REAL ID. An H-1B visa in conjunction with a foreign passport with the visa and an I-94 that reflects admission and status is acceptable per TSA regulations (§202 of the REAL ID Act).

We are proud of our work to provide oversight to driver education programs and ensure that permits and driver licenses are issued in strict adherence to federal and state law. We retain an immigration attorney to answer queries from our staff on a regular basis and to audit our records to identify and rectify any errors. We implemented a rigorous training program with two staff trainers who work directly with our frontline staff to learn the laws and rules to ensure adherence to the law. Our management team regularly audits and evaluates the work of our frontline staff. Furthermore, we are dedicated to the principle of continuous improvement.

Effective February 1, 2026, the BMV provides free professional interpreter services to applicants for written exams. The applicant no longer brings their own interpreters. Applicants identify what specific language services they need when taking the written basic knowledge test to earn their Class C driving permit on the newly modified exam application form, and an interpreter will be provided at no cost to the applicant. The BMV digital testing system provides the basic knowledge test in 8 languages: Arabic, Canadian French, English, French, Portuguese, Somali, Spanish and Swahili. If the applicant speaks a language provided in our testing system, they will be scheduled to take the test with the digital system at one of our 13 branches across the state. If the applicant speaks a language our system does not provide, the BMV will provide a free interpreter for the written test. Scheduling for an applicant that requires an interpreter may take 4 weeks or more, depending on interpreter availability.

Additionally, should the Legislature desire to designate authority to the BMV to hold applicants accountable for cheating, we stand ready to work with the Transportation Committee in the 133<sup>rd</sup> Legislature to do that.

We are confident that should your committee choose to open an investigation into BMV's processes, OPEGA staff will find that our staff are diligently following Maine law, rule and federal law regarding the issuance of driving credentials, while also actively auditing ourselves for these processes. We remain at your service to ensure that you have the information you need to fulfill your mission of oversight.

Sincerely,



Catherine Curtis  
Deputy Secretary of State  
Bureau of Motor Vehicles