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An Act To Enhance the Availability of Special Restricted Licenses in Cases of Medical Need

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

Whereas, this legislation authorizes the Secretary of State to issue special restricted licenses to persons who are 15 years of age; and

Whereas, it is imperative to authorize this special restricted license to persons affected by exigent medical circumstances as soon as possible; 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 §1256, first ¶, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

A person who has reached 15 years of age and who has successfully completed a driver education course may be issued a special restricted license based on educational ~~or~~, employment or medical need as follows.

Sec. 2. 29-A MRSA §1256, sub-§2-A is enacted to read:

2-A. Medical need. The Secretary of State may grant a person who has reached 15 years of age a special restricted license under circumstances of medical necessity that are experienced by the person or a member of the person's immediate family if the Secretary of State determines the circumstances to be exigent and not inconsistent with the interest of highway safety.

A. An application must include:

(1) A signed, notarized statement from the applicant and the applicant's parent or guardian that:

(a) No readily available alternative means of transportation exists; and

(b) Use of a motor vehicle is necessary for transportation in connection with circumstances of medical necessity that are experienced by the person or a member of the person's immediate family.

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

SUMMARY

Current law authorizes the Secretary of State to issue a special restricted license to a person who is 15 years of age based on educational need or employment need. This bill authorizes the Secretary of State to grant such a license under circumstances of medical necessity that are experienced by the person or a member of the person's immediate family if the Secretary of State determines the circumstances to be exigent and not inconsistent with the interest of highway safety. This bill also requires that an application for a special restricted license based on medical need be accompanied by a notarized statement from the parent or guardian attesting that no readily available alternative means of transportation exists and that use of a motor vehicle is necessary under the circumstances.