

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Amend the Motor Vehicle Laws

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

Sec. 1. 29-A MRSA §101, sub-§11, as amended by PL 2013, c. 381, Pt. B, §3, is further amended to read:

11. Bus. "Bus" means a motor vehicle designed for carrying more than ~~16~~15 persons, including the operator.

Sec. 2. 29-A MRSA §406, sub-§§1 and 2, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, are repealed.

Sec. 3. 29-A MRSA §455, sub-§2, as amended by PL 2007, c. 703, §2 and PL 2011, c. 657, Pt. W, §6, is further amended to read:

2. Plate design; optional environmental vanity plates. The Secretary of State, the Commissioner of Agriculture, Conservation and Forestry, the Commissioner of Environmental Protection and the Commissioner of Inland Fisheries and Wildlife in consultation with the joint standing committee of the Legislature having jurisdiction over transportation matters shall determine the plate design.

The design must accommodate the use of numbers and letters as provided in section 453. Upon request and as provided by section 453, the Secretary of State shall issue environmental plates that are also vanity plates. Environmental vanity plates are issued in accordance with this section and section 453. The Secretary of State may modify class codes and create unique identifiers for the purpose of expanding the program. ~~The annual service fee of \$15 for vanity plates is credited to the Highway Fund. Rules adopted pursuant to this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.~~

Sec. 4. 29-A MRSA §456-C, sub-§1, as amended by PL 2007, c. 240, Pt. LLLL, §2, is further amended to read:

1. Sportsman registration plates. The Secretary of State, upon receiving an application and evidence of payment of the registration fee required by section 501 and the excise tax required by Title 36, section 1482, shall issue a registration certificate and a set of sportsman plates to be used in lieu of regular registration plates. These plates must bear identification numbers and letters. Vanity plates may not duplicate vanity plates issued in another class of plate. The Secretary of State shall begin issuing ~~sportsmansportsman~~ registration plates by April 1, 2008. Sportsman vanity plates are issued in accordance with this section and section 453.

Sec. 5. 29-A MRSA §515-B, sub-§3, as enacted by PL 1999, c. 734, §1, is amended to read:

3. Design. The Secretary of State shall determine the design of the Purple Heart motorcycle registration plate. Upon request and as provided by section 453, the Secretary of State shall issue Purple Heart motorcycle registration plates that are also vanity plates. Purple Heart vanity plates are issued in accordance with this section and section 453. ~~The annual service fee of \$15 for vanity plates is credited to the Highway Fund.~~

Sec. 6. 29-A MRSA §521, sub-§5, as amended by PL 2011, c. 23, §1, is repealed and the following enacted in its place:

5. Application; issuance. The following provisions apply to an application for and the issuance of a disability plate or placard.

A. An application for a disability plate or placard must be accompanied by the certificate of a physician, physician assistant, nurse practitioner or registered nurse attesting to the applicant's physical disability as defined in subsection 1. The physician, physician assistant, nurse practitioner or registered nurse shall designate the duration of the applicant's disability not to exceed 6 years or designate the applicant's disability as permanent. The Secretary of State shall issue to an eligible applicant disability plates and windshield placards upon request. A disability plate or placard issued to a person for whom the duration of the person's disability has been designated as not exceeding 6 years expires upon the expiration of the duration of the disability as designated by the physician, physician assistant, nurse practitioner or registered nurse.

B. When the Secretary of State determines the disability to be permanent from the application, the disability plate or placard expires upon the expiration date of that person's driver's license or nondriver identification card issued by this State. The applicant is not required to continue to provide proof of disability upon renewal of the applicant's disability plate or placard.

C. When the applicant's need for the disability plate or placard terminates or the applicant dies, the disability plate or placard must be returned to the Secretary of State. Notwithstanding subsection 2, paragraphs B and C, the provisions of this subsection, as regards the issuance of a disability plate or placard for a person with a permanent disability, apply only to that person.

Sec. 7. 29-A MRSA §523, sub-§4, as enacted by PL 1997, c. 69, §1, is amended to read:

4. Veterans vanity plates. Upon request and as provided by section 453, the Secretary of State shall issue veterans registration plates that are also vanity plates. Veterans registration vanity plates are issued in accordance with this section and section 453. ~~The annual service fee of \$15 for vanity plates is credited to the Highway Fund.~~

Sec. 8. 29-A MRSA §1301, sub-§2-A, as amended by PL 2013, c. 163, §1, is further amended to read:

2-A. Legal presence requirement. The Secretary of State may not issue a license to an applicant unless the applicant presents to the Secretary of State valid documentary evidence of legal presence in the United States, except that the Secretary of State may exempt a ~~person~~citizen or legal

permanent resident from the requirements of this subsection if that person is renewing a noncommercial driver's license and that person has continuously held a valid driver's license under this chapter since December 31, 1989 or was born before December 1, 1964.

Sec. 9. 29-A MRSA §1304, sub-§1, ¶H, as amended by PL 2013, c. 381, Pt. B, §16, 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 a learner's permit; and

(2) The person has completed a minimum of 70 hours of driving, including 10 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 3570 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 3570 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.

Sec. 10. 29-A MRSA §1410, sub-§8, as amended by PL 2013, c. 163, §2, is further amended to read:

8. Legal presence requirement. The Secretary of State may not issue a nondriver identification card to an applicant unless the applicant presents to the Secretary of State valid documentary evidence of legal presence in the United States, except that the Secretary of State may exempt a ~~person~~citizen or legal permanent resident from the requirements of this subsection if that person has continuously held a nondriver identification card or valid driver's license under this chapter since December 31, 1989 or was born before December 1, 1964.

Sec. 11. 29-A MRSA §1851, sub-§§5 and 6, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, are amended to read:

5. Left after repair completed. Left at a place of business after being repaired pursuant to a written work order signed by the person requesting the repair work; ~~or~~

6. Left on residential property. Left on an individual's residential property for more than 6 months; ~~;~~ or

Sec. 12. 29-A MRSA §1851, sub-§7 is enacted to read:

7. Left at storage facility. Left at a storage facility, if the owner has failed to pay storage or rental fees.

Sec. 13. 29-A MRSA §2472, sub-§2-B, as enacted by PL 2011, c. 654, §12, is amended to read:

2-B. Reexamination. The holder of a juvenile provisional license convicted of an offense listed in section 2551-A, subsection 1, paragraph A, as limited by section 2551-A, subsection 3, must successfully complete an examination pursuant to section 1301, subsection 4 as prescribed by the Secretary of State ~~before the suspension may be terminated~~within 90 days after that license is restored. Failure to successfully complete the examination results in a subsequent suspension.

SUMMARY

This bill makes the following changes to the motor vehicle laws.

1. It changes the definition of "bus" to be consistent with federal law.
2. It repeals the requirement that a vehicle registrant return that registrant's registration certificate to the Secretary of State upon the transfer of ownership of the vehicle.
3. It standardizes the language for vanity plates for environmental registration plates, sportsman registration plates, Purple Heart motorcycle registration plates and veterans registration plates to be the same as other vanity plates.
4. It restructures the law relative to the issuance of disability plates and placards and provides that disability plates and placards may be issued for up to 6 years.
5. It clarifies that the exemption from the requirement to establish legal presence when issuing a driver's license applies to certain citizens and legal permanent residents applying for the renewal of a driver's license.
6. It corrects an inconsistency in the laws governing the number of practice hours a person under 21 years of age must complete before applying for a driver's license.
7. It clarifies that the exemption from the requirement to establish legal presence when issuing a nondriver identification card applies to certain citizens and legal permanent residents applying for the renewal of a nondriver identification card.
8. It provides that the laws governing abandoned vehicles apply to vehicles left at a storage facility.
9. It allows for a person to be scheduled for the required road test after that person's juvenile provisional license is restored after a suspension instead of making it a requirement of restoration. All other restoration requirements must be met and, if the examination is not successfully completed within 90 days after restoration, an additional suspension for noncompliance will be imposed.