

Date: (Filing No. S- )

TRANSPORTATION

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE
SENATE
128TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " " to S.P. 92, L.D. 306, Bill, "An Act To Require State Compliance with Federal REAL ID Guidelines"

Amend the bill by inserting after the enacting clause and before section 1 the following:

'Sec. 1. 29-A MRSA §1260 is enacted to read:

§1260. REAL ID compliant driver's license or nondriver identification card

The Secretary of State may issue, upon request of the applicant, a driver's license under this subchapter or a nondriver identification card under section 1410 that meets the standards of the federal REAL ID Act of 2005, Public Law 109-13. A person may not hold a REAL ID compliant driver's license simultaneously with another license with the same class or restriction indicated on the license.

Sec. 2. 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 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. 3. 29-A MRSA §1401, sub-§9, as enacted by PL 2011, c. 149, §6, is amended to read:

9. Use of biometric technology. The Secretary of State may not use biometric technology, including, but not limited to, retinal scanning, facial recognition or fingerprint technology, to produce a license or nondriver identification card. This subsection does not apply to digital images.

COMMITTEE AMENDMENT

1           **Sec. 4. 29-A MRSA §1405, sub-§3**, as repealed and replaced by PL 2015, c. 206,  
2 §7, is amended to read:

3           **3. Fee.** The fee for a duplicate registration certificate is \$2. The fee for a duplicate  
4 learner's permit, duplicate license or duplicate nondriver identification card is \$5. The fee  
5 for a duplicate license or duplicate nondriver identification card under section 1260 is  
6 \$30.

7           **Sec. 5. 29-A MRSA §1406-A, sub-§§1 and 2**, as enacted by PL 2013, c. 381,  
8 Pt. B, §25, are amended to read:

9           **1. Driver's license fees; expiration of license; persons under 65 years of age.** The  
10 following provisions apply to the expiration of a driver's license for persons under 65  
11 years of age.

12           A. Except as provided in section 1255, a noncommercial driver's license to operate a  
13 motor vehicle issued to a person under 65 years of age expires at midnight on the  
14 license holder's 6th birthday following the date of issuance. ~~The fee for the 6-year~~  
15 ~~noncommercial driver's license is \$30~~ following fees apply.

16                 (1) The fee for the 6-year noncommercial driver's license is \$30.

17                 (2) The fee for the 6-year noncommercial driver's license under section 1260 is  
18 \$55.

19           B. Except as provided in section 1255, a commercial driver's license to operate a  
20 motor vehicle issued to a person under 65 years of age expires at midnight on the  
21 license holder's 5th birthday following the date of issuance. ~~The fee for the 5-year~~  
22 ~~commercial driver's license is \$34~~ following fees apply.

23                 (1) The fee for the 5-year commercial driver's license is \$34.

24                 (2) The fee for the 5-year commercial driver's license under section 1260 is \$59.

25           **2. Driver's license fees; expiration of license; persons 65 years of age and over.**  
26 A noncommercial or commercial driver's license to operate a motor vehicle issued to a  
27 person 65 years of age or older at the date of issuance expires at midnight on the license  
28 holder's 4th birthday following the date of issuance. ~~The fee for the 4-year~~  
29 ~~noncommercial driver's license is \$21.~~ ~~The fee for the 4-year commercial driver's license~~  
30 ~~is \$28~~ following fees apply.

31                 A. The fee for the 4-year noncommercial driver's license is \$21.

32                 B. The fee for the 4-year noncommercial driver's license under section 1260 is \$41.

33                 C. The fee for the 4-year commercial driver's license is \$28.

34                 D. The fee for the 4-year commercial driver's license under section 1260 is \$48.

35           **Sec. 6. 29-A MRSA §1410, sub-§8**, as amended by PL 2013, c. 163, §2, is  
36 further amended to read:

37           **8. Legal presence requirement.** The Secretary of State may not issue a nondriver  
38 identification card to an applicant unless the applicant presents to the Secretary of State  
39 valid documentary evidence of legal presence in the United States, ~~except that the~~

1 ~~Secretary of State may exempt a person from the requirements of this subsection if that~~  
2 ~~person has continuously held a nondriver identification card or valid driver's license~~  
3 ~~under this chapter since December 31, 1989 or was born before December 1, 1964.~~

4 **Sec. 7. 29-A MRSA §1410, sub-§11** is enacted to read:

5 **11. REAL ID compliant nondriver identification card; fee.** The fee for a  
6 nondriver identification card under section 1260 is \$30.'

7 Amend the bill by adding after section 2 the following:

8 **'Sec. 3. Appropriations and allocations.** The following appropriations and  
9 allocations are made.

10 **SECRETARY OF STATE, DEPARTMENT OF**

11 **Administration - Motor Vehicles 0077**

12 Initiative: Provides allocations to implement the federal REAL ID Act of 2005.

13	<b>HIGHWAY FUND</b>	<b>2017-18</b>	<b>2018-19</b>
14	All Other	\$343,853	\$823,919
15	Capital Expenditures	\$0	\$27,060
16			
17	<b>HIGHWAY FUND TOTAL</b>	<b>\$343,853</b>	<b>\$850,979</b>

18 **Sec. 4. Effective date.** Those sections of this Act that enact the Maine Revised  
19 Statutes, Title 29-A, section 1260 and section 1410, subsection 11 and amend Title 29-A,  
20 sections 1301, 1401, 1405, 1406-A and 1410 take effect July 1, 2019.'

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

23 **SUMMARY**

24 This amendment, which is the majority report, provides that the Secretary of State  
25 may issue a driver's license or nondriver identification card that meets the standards of the  
26 federal REAL ID Act of 2005. The amendment also establishes fees for REAL ID  
27 compliant driver's licenses and nondriver identification cards.

28 Current law allows the Secretary of State to exempt a person from having to present  
29 documentary evidence of legal presence in the United States if that person is renewing a  
30 noncommercial driver's license and that person has continuously held a valid driver's  
31 license since December 31, 1989 or was born before December 1, 1964. Current law also  
32 provides that the Secretary of State may exempt a person from having to present  
33 documentary evidence of legal presence for a nondriver identification card if that person  
34 has held a nondriver identification card or valid driver's license since December 31, 1989  
35 or was born before December 1, 1964. This amendment repeals these exemptions in  
36 order for the Secretary of State to comply with the requirements of the federal REAL ID  
37 Act of 2005.

