2   Date: (Filing No. S-   )

3   **TRANSPORTATION**

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

5   **STATE OF MAINE**

6   **SENATE**

7   **125TH LEGISLATURE**

8   **SECOND REGULAR SESSION**

9   COMMITTEE AMENDMENT "   " to S.P. 684, L.D. 1912, Bill, "An Act To
10   Encourage Responsible Teen Driving"

11   Amend the bill in section 3 in subsection 2 in the last 2 lines (page 1, lines 11 and 12
12   in L.D.) by striking out the following: "or until the person attains 18 years of age,
13   whichever occurs later." and inserting the following: '. The period of license restrictions
14   may extend beyond the person's 18th birthday.'

15   Amend the bill in section 5 in subsection 4 in the 2nd line (page 1, line 23 in L.D.) by
16   striking out the following: "$350" and inserting the following: '$250 and not more than
17      $500'

18   Amend the bill by striking out all of sections 7 and 8.

19   Amend the bill in section 9 in subsection 3 in the 2nd line (page 2, line 11 in L.D.) by
20   striking out the following: "$350" and inserting the following: '$250 and not more than
21      $500'

22   Amend the bill by inserting after section 9 the following:

23   '**Sec. 10. 29-A MRSA §2251, sub-§7-A,** as enacted by PL 2011, c. 390, §2 and
24   amended by c. 420, Pt. K, §1 and affected by §2, is further amended to read:

25   **7-A. Accident report database; public dissemination of accident report data.**
26   Data contained in an accident report database maintained, administered or contributed to
27   by the Department of Public Safety, Bureau of State Police must be treated as follows.

28   A. For purposes of this subsection, the following terms have the following meanings.

29   (1) "Data" means information existing in an electronic medium and contained in
30   an accident report database.

31   (2) "Nonpersonally identifying accident report data" means any data in an
32   accident report that are not personally identifying accident report data.

33   (3) "Personally identifying accident report data" means:

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1   (a) An individual's name, residential and post office box mailing address,
2   social security number, date of birth and driver's license number;

3   (b) A vehicle registration plate number;

4   (c) An insurance policy number;

5   (d) Information contained in any free text data field of an accident report;
6   and

7   (e) Any other information contained in a data field of an accident report that
8   may be used to identify a person.

9   B. The Except as provided in paragraph B-1, the Department of Public Safety,
10   Bureau of State Police may not publicly disseminate personally identifying accident
11   report data that are contained in an accident report database maintained, administered
12   or contributed to by the Bureau of State Police. Such data are not public records for
13   the purposes of Title 1, chapter 13.

14   B-1. The Department of Public Safety, Bureau of State Police may disseminate a
15   vehicle registration plate number contained in an accident report database maintained,
16   administered or contributed to by the Bureau of State Police to a person only if that
17   person provides the Bureau of State Police an affidavit stating that the person will
18   not:

19   (1) Use a vehicle registration plate number to identify or contact a person; or

20   (2) Disseminate a vehicle registration plate number to another person.

21   C. The Department of Public Safety, Bureau of State Police may publicly
22   disseminate nonpersonally identifying accident report data that are contained in an
23   accident report database maintained, administered or contributed to by the Bureau of
24   State Police. The cost of furnishing a copy of such data is not subject to the
25   limitations of Title 1, section 408.

26   **Sec. 11. 29-A MRSA §2251, sub-§8,** as amended by PL 2001, c. 360, §15, is
27 further amended to read:

28   **8. Violation.** A person commits a Class E crime if that person:

29   A. Is required to make an oral or written report and knowingly fails to do so within
30   the time required;

31   B. Is an operator involved in a reportable accident and knowingly fails to give a
32   correct name and address when requested by an officer at the scene; or

33   C. Is the operator involved in a reportable accident or the owner of a vehicle
34   involved in a reportable accident and knowingly fails to produce the vehicle or, if the
35   vehicle is operational, return it to the scene when requested by the investigating
36   officer.; or

37   D. Obtains a vehicle registration plate number pursuant to subsection 7-A, paragraph
38   B-1 and knowingly uses that vehicle registration plate number to identify or contact a

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1   person or knowingly disseminates that vehicle registration plate number to another
2   person.'

3   Amend the bill in section 11 by striking out all of subsection 2-A (page 2, lines 22 to
4   24 in L.D.) and inserting the following:

5   '**2-A. Driver improvement program.** A person whose license is suspended
6   pursuant to subsection 2 shall complete a minimum of 4 hours of a driver improvement
7   program approved by the Secretary of State before the suspension may be terminated.'

8   Amend the bill in section 12 in subsection 2-B in the last line (page 2, line 29 in L.D.)
9   by inserting after the following: "State" the following: 'before the suspension may be
10 terminated'

11 Amend the bill in section 13 in subsection 7 in the last 2 lines (page 2, lines 34 and
12 35 in L.D.) by striking out the following: ", in addition to the regular license fee,"

13 Amend the bill in section 14 by striking out all of subsection 1 (page 3, lines 3 to 7 in
14 L.D.) and inserting the following:

15 '**1. Reinstatement fee for suspensions other than for OUI or failure to submit to**
16 **a test.** ~~Before~~ Except as provided in section 2472, subsection 7, before a suspension for
17 any reason other than OUI or failure to submit to a test is terminated and a license or
18 certificate reinstated, a fee of $50~~, in addition to the regular license fee,~~ must be paid to
19 the Secretary of State.'

20 Amend the bill in section 15 by striking out all of subsection 1-A (page 3, lines 10 to
21 14 in L.D.) and inserting the following:

22 '**1-A. Reinstatement fee for suspensions for OUI or failure to submit to a test.**
23 ~~Before~~ Except as provided in section 2472, subsection 7, before a suspension for OUI or
24 failure to submit to a test is terminated and a license or certificate reinstated, a fee of $50~~,~~
25 ~~in addition to the regular license fee,~~ must be paid to the Secretary of State.'

26 Amend the bill by adding after section 15 the following:

27 '**Sec. 16. Effective date.** That section of this Act that enacts the Maine Revised
28 Statutes, Title 29-A, section 2472, subsection 2-A takes effect January 1, 2013.'

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

31 **SUMMARY**

32 This amendment is the majority report of the committee.

33 The bill increases the period of restrictions for an intermediate license holder from
34 180 days to either 270 days from license issuance or until the person attains 18 years of
35 age, whichever occurs later. The amendment limits the period of restrictions to 270 days
36 but allows that period to extend beyond the person's 18th birthday.

37 This amendment changes the fine imposed on an intermediate license holder for a
38 violation of the restrictions for intermediate license holders from a minimum of $350 as
39 proposed in the bill to not less than $250 and not more than $500.

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1   The bill provides that, before a suspension issued to the holder of an intermediate
2 license is terminated and a license reinstated, a fee of $100, in addition to the regular
3 license fee, must be paid to the Secretary of State. This amendment removes these
4 provisions. The reinstatement fee for suspensions other than for OUI or failure to submit
5 to a test under current law is $50 and applies to intermediate license holders.

6   This amendment strikes the provision in the bill requiring driver education for
7 persons 18 years of age or older.

8   This amendment changes the fine for a violation of the prohibition against engaging
9 in text messaging while driving from a minimum of $350 as proposed in the bill to not
10 less than $250 and not more than $500.

11   This amendment provides that the Department of Public Safety, Bureau of State
12 Police may provide a vehicle registration plate number from an accident report to a
13 person only if that person provides the department an affidavit stating that the person will
14 not use a vehicle registration plate number to identify or contact a person or disseminate a
15 vehicle registration plate number to another person. A person who knowingly uses a
16 vehicle registration plate number provided by the bureau to identify or contact a person or
17 disseminates the number commits a Class E crime.

18   The bill requires that a defensive driving course must be completed by a juvenile
19 provisional license holder whose license is suspended for a moving violation. This
20 amendment instead requires a juvenile provisional license holder whose license is
21 suspended for a moving violation to complete a minimum of 4 hours of a driver
22 improvement program approved by the Secretary of State. The effective date of this
23 provision is January 1, 2013.

24   This amendment clarifies that before a suspension that resulted from a juvenile
25 provisional license holder's conviction for an offense listed in the habitual offender law
26 may be terminated the juvenile provisional license holder must successfully complete a
27 road test and written exam.

28   The bill provides that, before a suspension that resulted from a juvenile provisional
29 license holder's conviction for an offense listed in the habitual offender law is terminated
30 and a license reinstated, a fee of $350, in addition to the regular license fee, must be paid
31 to the Secretary of State. This amendment removes the requirement that the regular
32 license fee be paid to the Secretary of State.

33   **FISCAL NOTE REQUIRED**
34   **(See attached)**

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