

LD # and Title: LD 1616 An Act to Eliminate Requirements for Drivers to Surrender Their Physical Driver's Licenses During a Temporary Suspension

Department Recommendation: SUPPORT. The SOS does not want the courts or police officers to seize suspended licenses and return them to their agency anymore. They want to remove that requirement with all the drug charges in 17-A and want to remove the Possession of a suspended license statute(s) in Title 29-A section 2102. They believe that with modern technology it is easy for LEOs to determine if someone's license is suspended (and it is). They also recognize that stripping someone from their state issued credentials can create broad problems for the individual when they fly, check into a hotel, provide ID in a police encounter, purchase alcohol or tobacco, etc. Where we have been requested to support this bill from SOS and it seems rather innocuous, helping them today may have a reciprocal effect in the future. SOS and BMV routinely support our agency with regards to traffic safety, and particularly the Motor Vehicle Inspection Program. Also, we really don't need Troopers making arrests for possession of a suspended license. It is de minimus and a burden to the jails and courts. Back when we could search a vehicle incident to a lawful arrest it was a great tool to get you into a vehicle, but not anymore where Arizona V. Gant removed the "bright line rule" under NY V. Belton.

Bill Type (Governor, Department, Agency, or Legislator Bill): SOS ask bill

List All Sponsors: Presented by Representative CRAFTS of Newcastle.

Summary: Per the bill, this bill eliminates requirements for an individual whose license has been temporarily suspended to surrender the individual's physical driver's license to allow the individual to keep the individual's primary identity documentation in the individual's possession. The bill also eliminates provisions establishing crimes and traffic infractions associated with display or possession of a suspended driver's license.

Background (Previous bills, stakeholders, legislative intent, etc.): Dep. Sec. Cutris and Dor. Ireland from BMV reached out last summer to discuss this potential legislation and have recently requested our support.

Brief Fiscal Impact Analysis: N/A

Agency Contact Completing This Form: Lt. Bruce Scott, DPS, Maine State Police, Troop Commander, Traffic Safety Unit