



## *Department of the Secretary of State*

### *Bureau of Motor Vehicles*

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## **JOINT STANDING COMMITTEE ON TRANSPORTATION**

Testimony of Shenna Bellows Secretary of State  
Department of the Secretary of State

In Support of  
L.D. 2072 "An Act to amend the Laws Governing Motor Vehicles"

February 6, 2024

Senator Chipman, Representative Crafts, and Members of the Joint Standing Committee on Transportation, my name is Shenna Bellows, and I am the Secretary of State and chief motor vehicle officer. I am speaking today in support of L.D. 2072.

To begin, I would like to thank Senator Nangle for sponsoring this bill on behalf of the Bureau of Motor Vehicles. This bill accomplishes several things – it makes technical changes, brings Maine in line with federal law, and enhances services for customers. To ensure collective understanding, I will walk the committee through it section by section.

Sections 1, 2, and 3 requires antique vehicles to be 35 years old. Currently to qualify as antique vehicle, it must only be 25 years old. However, these amendments grandfather those vehicles registered as antique vehicles prior to January 1, 2025. Based on a conversation with the bill sponsor, we would like to amend this section to clarify that to qualify for the grandfather clause, the vehicle must have been registered as an antique vehicle in Maine. We are grateful to the sponsor for offering up the friendly amendment to address this update.

Section 4 eliminates the ability for a person to hold a plate number for more than 6 months during a non-plate issue year. We know Mainers love their low digit plates so this change would make accessibility to low digit plates more equitable.

Section 5 clarifies that any new specialty plate sponsors registering with the Secretary of State after the specialty plate moratorium ends, must be affiliated with a state department. Requiring a new specialty plate to be sponsored by the appropriate state agency would ensure there are adequate safeguards in place against fraud or abuse of the program.

Section 6 removes from statute the ability of licensed vehicle auction businesses to issue unassigned temporary registration permits. This provision was never implemented as there is no automated mechanism to track the plates.

We recommend section 7 be struck from the bill. In a conversation with Maine State Police the addition of SUVs and vans would have an unintended consequence when it comes to inspections. The sponsor's amendment reflects this change.

Sections 8 and 9 clarifies that a set of plates bearing the words “Disabled Veteran” are optional when a veteran receives a registration fee and excise tax exemption. This change came about after a number of collaborative discussions between the BMV, Office of the Attorney General, Maine Revenue Services, and the Maine Department of Defense, Veterans and Emergency Management. We believe this is an important change that responds to the needs raised by disabled veterans and indeed many legislators advocating on their behalf.

Section 10 limits the issuance of titles to semitrailers up to 25 years old. Because Maine is very permissive when it comes to the titling out of state trailers, we have seen this leniency abused with instances of owners apply for a title for their trailers that either do not exist or simply to use as collateral. This change would curb the misuse of the program.

Section 11 requires titles issued to motor vehicles over 25 years old, to be issued a warranty title in accordance with 29-A, section 651, subsection 3.

Section 12 allows lienholders participating in the electronic lien title program to request that a paper title be printed and mailed to an alternate address. This will allow the title to be mailed to a dealer directly when they have paid off a lien for a vehicle they have taken as a trade-in. This change is part of the modernization efforts we are undertaking with our electronic lien program.

Section 13 requires all fines and fees related to dealer licensing be paid before a dealer license can be issued.

Section 14 requires dealers to post their document fees on all vehicles, including trailers. Currently, they are required to post their document fee on motor vehicles but not trailers.

Sections 15, 16, and 17 require dealers to maintain a copy of any purchase and sale agreements for a minimum of 5 years. This will ensure there is a complete file on the transaction. Section 18 clarifies that specific dealer plates may only be used for that class of vehicle. For example, a dealer “wrecker” plate can only be used on a wrecker.

Section 19 clarifies the large 4-wheel drive trucks that are manufactured as equipment, can be operated with an “equipment” dealer plate.

Section 20 repeals the requirement that records of vehicle sold by auctions, be submitted to the Secretary of State. This is not necessary as the records must already be available for inspection and maintained under section 5 of Title 29-A, section 1052.

Section 21 requires all fines and fees related to dealer and recycler licensing be paid before a recycler license can be issued.

Section 22 clarifies that a person who is not a recycler cannot sell catalytic converters that have been removed from a motor vehicle. Currently, the law prohibits the purchase of the catalytic converter. This change will prohibit the sale as well.

Section 23 clarifies that unmarked catalytic converters seized from a licensed recycler are contraband and will be automatically forfeited to the Secretary of State without the requirement of the libel process.

Section 24 requires the Secretary of State to comply with the federal law which creates the Drug and Alcohol Clearing House (DACH) when issuing, renewing, or upgrading a commercial driver’s license.

Section 25 allows the Secretary of State to accept a recently expired U.S. passport as proof of legal presence for U.S. citizens when issuing a non-Real ID driver’s license. This change resulted from a constituent case where a minor was adopted from another country who was then issued a Certificate of Birth of Foreign Born Child by the State of Maine. When she came to one of our BMV branches to get her first driver’s license, she tried to use this birth certificate but unfortunately, that type of birth certificate is not a document that proves legal presence or status. The minor did have a U.S. passport, but the parents did not renew it because they thought they were required to wait until she turns 18 to

get a 10-year passport. With the State Department backlog on passport processing estimated up to four months long, this change will ensure U.S. citizens may receive their non-Real ID driver's license without delay.

Section 26 aligns the length of time a driver education instructors license is valid with the same standard as motorcycle instructor licenses.

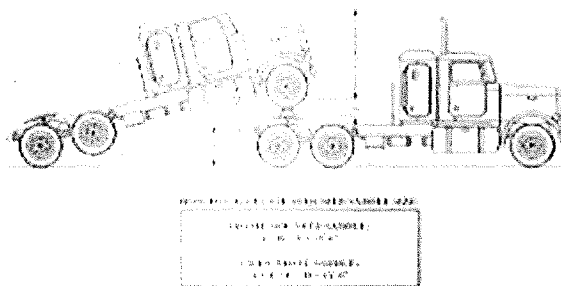
Section 27 clarifies the responsibilities of a driver education school to ensure adequate vehicle insurance prior to use during driver education instruction.

Section 28 allows the Secretary of State to accept a recently expired US passport as proof of legal presence for US citizens when issuing a non-REAL ID nondriver state identification card. This reason behind this change aligns with section 25 of the bill.

Sections 29, 30, and 31 clarifies that a dealer can transport an uninspected vehicle to an auction as long as it is safe to operate on a public way.

Section 32 eliminates the requirement for a school bus endorsement for drivers of a multifunctional activities bus and adds the driver must be at least 21 years old and held a driver's license for 2 years. This resulted from a bill attempting a similar change due to a private school that had been operating an activities school bus for their institution. This change would bring public schools into parity with private schools who already do this.

As the sponsor mentioned there are two additions we are hoping to include in the department bill: one updates the special dealer plate statute to allow businesses engaged in towing to obtain "transporter plates." A transporter plate is required for towing unregistered vehicles in a saddlemount configuration. In the illustration below, you will see a truck or tractor towing other vehicles, with the front axle of each towed vehicle mounted on the frame of the preceding vehicle. If the second truck is not registered, the towing company would put a transporter plate on it. Most towing companies are also dealers, so they can obtain a transporter plate; however, if they are not a dealer but strictly a towing company, they are not eligible for a transporter plate under current law. This change would remove this inconsistency.



The other addition to the department bill actually came from the Maine Association of Physician Assistants. One of their members was working with a patient for a seat belt exemption but it was unfortunately rejected by our staff because the member is not a physician. According to the current law, we can only accept exemptions from only physicians - not physician assistants or nurse practitioners. After discussing with our professional staff, we agreed that this did not make sense and did not see any medical reason why licensed physician assistants, nurse practitioners, or registered nurses could not also recommend a seat belt exemption - especially when we have a healthcare provider shortage and many people in underserved areas face significant barriers to accessing physician-delivered care. We thank the Maine Association of Physician Assistants for raising this important change and working with us to update the relevant statute.

This concludes my testimony. I would also like to suggest that you may find it beneficial to hold this bill until near the end of the session to provide a vehicle for any other relevant amendments that come to your attention that are appropriate to add to the bill.

Thank you for your time and I would be happy to answer any questions the committee may have.