



Department of the Secretary of State

Bureau of Motor Vehicles

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JOINT STANDING COMMITTEE ON TRANSPORTATION

L.D. 1433, "An Act to Amend the Motor Vehicle Laws"

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Senator Diamond, Representative Martin and members of the Joint Standing Committee on Transportation, my name is Cathie Curtis. I am the Deputy Secretary of State for the Bureau of Motor Vehicles and I am a resident of Winthrop. Thank you for the opportunity to testify before you today in favor of L.D. 1433, An Act to Amend the Motor Vehicle Laws.

This bill is the Department of the Secretary of State, Bureau of Motor Vehicles' omnibus bill. The bureau is recommending several changes to the motor vehicle laws in Title 29A to facilitate program administration.

Sections 1 through 8, 11, and 48 of the bill amend several subsections in Title 29A by creating a definition of an off-road vehicle and amending the definitions of antique vehicle, antique motorcycle, and custom vehicles to ensure off-road vehicles are not included. It also provides for government entities who own or operate off-road vehicles to be exempt from registration provisions.

Section 9 adds a provision to 29A, section 201 which currently provides authorization for the SoS to appoint, train and revoke appointments of municipal agents. The proposed provision allows the Secretary of State (SoS) to adopt routine technical rules to manage the program to include defining accounting standards, inventory control, processing and securing credentials, inventory maintenance, and collecting funds and other expectations and requirements of BMV municipal agents.

Section 10 moves some of the statutory language within 29A, section 462, to section 954. as these are dealer requirements.

Sections 12 moves two subsections for temporary plates which we will discuss in section 32 of this bill.

Section 13 amends section 468, specialty plates by clarifying the requirements to issue additional versions or classes of a specialty plate.

Section 14 adds a provision to section 468, to place a maximum limit on the number of specialty plates allowed at one time.

Section 15 adds a provision to require written confirmation that property taxes have been paid before a temporary registration plate can be issued to move a mobile home.

Section 16 repeals section 522 regarding deaf, hard of hearing and late deafened placards. These placards are now issued by the Bureau of Rehabilitation Services, Division of Deaf, Hard of Hearing and Late Deafened and is a duplicative process that provides no additional benefit to the customer. This will eliminate the need for BMV to print and maintain inventory. BMV does have an option for these customers to request international disability symbol be placed onto their license or ID card. BMV has 21 customers who have elected to have this symbol displayed on their license or ID card.

Sections 17 and 34 proposes to amend sections 602 and 1101 to further defines a recycler and clarifies the sales, acquisition of and storage of vehicles or vehicle parts obtained, maintained, or sold by this type of business.

Sections 18, 19, 20 propose to amend section 664-A, resale by dealer. This amendment will allow an auto dealer to immediately resell a leased vehicle back to the lessee without having the title in their possession or on premise. This will provide a convenience benefit to the customer to assume ownership of the vehicle at the end of the lease without executing a lease extension while the dealer is waiting for the leasing company to send the paper title to the dealer. This section is also proposing to correct the statutory reference in subsection 5 from section 852 to 1051.

Section 21 proposes to enact provisions in section 702 which will allow the bureau to create a lienholder database by requiring lienholders to register and obtain an identification number. This will provide for electronic communication to the lien holders.

Section 22 amends section 752-A, currently vehicles that are 10 years old are exempt from the odometer disclosure. The proposed provision makes vehicles beginning with model year 2011, exempt from odometer disclosure when they reach 20 years old instead of 10 years old. This is consistent with a new federal rule.

Section 23 proposes to strike the licensed recycler sentence from section 852, subsection 2 because this is covered under license fees section 1105 for recyclers.

Section 24 amends section 903, subsection 3 by adding language that refers to Appendix A in the Dealer Rules, Chapter 103 which contains a chart that defines the number of dealer plates allowed to a dealer, which is based on the total number of annual vehicle sales. This amendment also adds clarifying language that the surety bond coincides with the number of annual sales. By adding this clarifying language, it provides the bureau the ability to accurately assign or reduce the number of dealer plates allowed to a specific dealer as well as ensuring the surety bond is at the appropriate coverage.

Section 25 - 31 amends section 952, the requirements of a dealer license by reorganizing language that describes the facilities and vehicle requirements.

Section 32 moves the statutory references from the vehicle registration, in section 462 to section 954 on dealer licensing which was discussed earlier under section 12 of this bill. These temporary registrations are issued by Maine auto dealers and should be positioned in the statute accordingly.

Section 33 proposes to amend section 1002, subsection 4, vehicle and equipment dealer plates by clarifying a licensed new or used car dealer may use service plates in connection with vehicle sales. Some vehicle and equipment dealers have ventured into the sales of different consumer products like storage sheds and it is necessary to clarify that the use of a dealer service plate can only be used in direct connection with the new and used car dealer license.

Section 34 was discussed with Section 17 above.

Section 35 proposes to amend section 1102-A, mobile crushers by adding a traffic infraction penalty clause should a mobile crusher violate the provisions of that section.

Section 36 proposes to amend section 1108, denial, suspension, or revocation of a recycler license by adding clarifying language to reflect not only the sale of vehicles or its parts but also the acquisition of such.

Section 37 proposes to amend section 1110, records of transactions for licensed recyclers to include copies of titles, transfers and the documents used for titling in their business records.

Section 38 proposes to amend section 1256, subsections 1, 2 and 2-A for special restricted licenses issues to 15 years old persons. The bureau is requesting to strike and add clarifying language to require the 15-year-old person to hold a permit for 6 months before applying for the special restricted license. It further brings consistency across all licenses.

Section 39 proposes to amend section 1304, subsection 2, on learner's permits, by adding language to allow motorcycle permits to be issued by motorcycle rider education schools.

Section 40 proposes to amend section 1351, subsection 3, to authorize the driver education completion certificates to act as a 60-day temporary learner's permits to provide the bureau time to receive, assess and validate records from the driver education schools before issuing the 2-year learner's permit.

Sections 41, 42, and 43 proposes to amend section 1352, subsection 3, 5 and 6, on motorcycle rider education instructors license requirements by requesting to add the requirements to submit to a background check upon application or renewal of instructor's license. It also adds clarifying language to further define the purpose of the completion certificate.

Sections 44, 45 and 46 proposes to amend section 1354, subsection 2 and 4 by requesting to add language clarifying the definitions of a Class A and B driver education schools. It also adds language to reflect the SBI background check and fingerprint requirements. These safety measures are for the added protection of the minors with whom the instructors interact.

Section 47 proposes to amend section 1909, registration lamp to exempt temporary plates from being displayed on the rear where the registration lamp is located.

Section 48 was discussed with section 1 above.

Section 49 proposes to amend section 2472, subsection 2-A by striking the 4-hour minimum requirement thus providing flexibility to the bureau when approving a driver improvement program.

Section 50 proposes to amend section 2508, subsection 1, paragraphs A, A-1, B, C and D, on ignition interlock device to provide further clarity and concise language when a person is eligible to install an IID during the term of their suspension and when the device can be removed without penalty.

I would also like to propose a few more amendments which are attached to this testimony. If you turn to the next page, I will briefly summarize them for you.

Thank you for your time.

This concludes my testimony. I am happy to answer any questions the committee may have.