

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 2260

H. P. 1788

House of Representatives, January 2, 1974

Referred to the Committee on Transportation. Sent up for concurrence and ordered printed.

E. LOUISE LINCOLN, Clerk

Presented by Mr. Keyte of Dexter.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FOUR

AN ACT to Correct Errors and Inconsistencies in the Motor Vehicle Laws.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., T. 29, § 107, amended. The first sentence of section 107 of Title 29 of the Revised Statutes, as amended by section 11 of chapter 360 of the public laws of 1971, is further amended to read as follows:

The Secretary of State shall not grant the application of any minor under the age of 18 years for registration of a vehicle unless such application is signed by ~~the father of the applicant, if the father is living and has custody of the applicant, otherwise by the mother~~ a parent or guardian having the custody of such minor, or in the event a minor under the age of 18 years has no father, mother or guardian, then registration of a vehicle shall not be granted to the minor unless his application therefor is signed by his employer.

Sec. 2. R. S., T. 29, § 355, amended. The first sentence of the last paragraph of section 355 of Title 29 of the Revised Statutes, as enacted by section 1 of chapter 529 of the public laws of 1973, is amended to read as follows:

Such record shall at all times be available for inspection by the Secretary of State, or his duly authorized agents or duly authorized members of law enforcement agencies **or representatives of the Attorney General's office.**

Sec. 3. R. S., T. 29, § 531, amended. The first sentence of the 3rd paragraph of section 531 of Title 29 of the Revised Statutes, as enacted by section 2 of chapter 587 of the public laws of 1973, is repealed and the following enacted in place thereof:

On or after January 1, 1974 no operator's license shall be issued by the Secretary of State without an endorsement thereon showing the class of license as described herein.

Sec. 4. R. S., T. 29, § 531, amended. The 5th paragraph of section 531 of Title 29 of the Revised Statutes, as enacted by section 2 of chapter 587 of the public laws of 1973, is repealed and the following enacted in place thereof:

Persons holding a valid license to operate motor vehicles on December 31, 1973, and provided that such licenses are not restricted to the operation of motorcycles or motor driven cycles only, may during the term of the license apply to the Secretary of State to have such licenses endorsed "Class 1" or "Class 2" without payment of additional fee and without examination as follows:

Sec. 5. R. S., T. 20, § 531, sub-§ 1, amended. Subsection 1 which relates to "Experience qualification for endorsement" of section 531 of Title 29 of the Revised Statutes, as enacted by section 2 of chapter 587 of the public laws of 1973, is amended to read as follows:

1. **Experience qualification for endorsement.** Application for endorsement for class 1 or 2 licenses must be submitted on such form as the Secretary of State shall prescribe, accompanied by affidavit of experience from both applicant and employer and past driving record, if any, if such record is not readily available within the records section of the Motor Vehicle Division, or supplying other such information as the Secretary of State shall require to determine whether the applicant has adequate experience for the class applied for.

Sec. 6. R. S., T. 29, § 531-A, sub-§ 2, amended. Subsection 2 of section 531-A of Title 29 of the Revised Statutes, as enacted by section 10 of chapter 245 of the public laws of 1967, is amended by adding at the end a new sentence to read as follows:

Any nonresident who has not yet attained his 17th birthday may not operate a motor vehicle in this State.

Sec. 7. R. S., T. 29, § 583, amended. The 3rd paragraph of section 583 of Title 29 of the Revised Statutes, as enacted by chapter 437 of the public laws of 1973, is amended to read as follows:

After September 1, 1975 no motorcycle or motor driven cycle learner's permit or operator's license, or both permission or restriction to operate a motorcycle or motor driven cycle shall be issued to any person under 17 years of age, unless such person shall present a certificate of successful completion of a motorcycle driver education course and examination given by some person or persons licensed by the Secretary of State.

Sec. 8. R. S., T. 29, § 585, amended. The first sentence of section 585 of Title 29 of the Revised Statutes, as amended by section 11 of chapter 245 of the public laws of 1967 and section 5 of chapter 394 of the public laws of 1971, is further amended to read as follows:

The Secretary of State shall not accept the application of any minor under the age of 18 years for an operator's license or instruction permit unless such application is signed by ~~the father of the applicant, if the father is living and has custody of the applicant, otherwise by the mother~~ a parent or guardian having the custody of such minor or by the spouse of such minor provided such spouse is of the age of 18 years or over.

Sec. 9. R. S., T. 29, § 783, sub-§ 2, ¶ A, sub-¶ (2), amended. The last sentence of subparagraph (2) of paragraph A of subsection 2 of section 783 of Title 29 of the Revised Statutes, as repealed and replaced by chapter 201 of the public laws of 1971 and as amended by section 6 of chapter 469 of the public laws of 1973, is repealed.

Sec. 10. R. S., T. 29, § 783, sub-§ 6, amended. The 2nd sentence of subsection 6 of section 783 of Title 29 of the Revised Statutes, is amended to read as follows:

If the aggrieved or injured person or his legal representative shall not have brought an action within one year from the date of the accident, then the Secretary of State, ~~upon receiving reasonable evidence of the fact~~ may, subject to the other requirements of the law, issue to such person a new license to operate and new registration certificates and registration plates, provided he shall give and thereafter maintain proof of financial responsibility.

STATEMENT OF FACT

The purpose of this bill is reflected in the title.