

MAINE STATE LEGISLATURE

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(New title)
New Draft of: H. P. 1019, L. D. 1229
FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 1666

H. P. 1555

House of Representatives, May 27, 1981

Reported by the Majority from the Committee on Transportation. Printed
under Joint Rules No. 2.

EDWIN H. PERT, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

**AN ACT to Provide Photographic Nonalterable Drivers' Licenses and
Identification Cards.**

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

Sec. 1. 5 MRSA § 89 is enacted to read:

§ 89. Cooperative document production capability

1. **Purpose.** State motor vehicle operators' licenses and identification documents have an increasingly important role in our society. They serve not only to identify persons who have received permission to undertake a specific regulated activity, but also serve as identification in numerous public and private transactions.

It is becoming vitally important to insure that state motor vehicle operators' licenses be issued in a form that clearly identifies them as official state documents, that they positively and easily identify the holder and that they are extremely difficult to counterfeit or alter.

2. **Form.** An official state motor vehicle operator's license or identification card issued under this section shall be a one-piece document and shall:

- A. Clearly indicate its nature as an official state document;
- B. Contain a photograph of the person to whom issued;

C. Be manufactured in a manner to prohibit, as nearly as possible, the ability to reproduce, alter or counterfeit the document without ready detection;

D. Contain other information required or appropriate for that license or identification card; and

E. Provide that any license or identification card issued to persons under 20 years of age shall be distinguished by a different color or other means to make such distinction easily observable.

Sec. 2. 28 MRSA § 1060, as last amended by PL 1977, c. 564, § 104, is repealed and the following enacted in its place:

§ 1060. Identification cards; information; fee

Any resident of the State or nonresident in the State 20 years of age or over may make application to the Secretary of State for an official state nondriver identification card under Title 5, section 89, upon a form provided by the Secretary of State. The application form shall include, directly above the signature line, the following notice to the applicant: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under Title 17-A, punishable by confinement of up to one year or by monetary fine of up to \$500, or by both." The Secretary of State, upon receipt of an application and such supporting documents and information as he may require, shall issue an identification card to the applicant bearing his photograph, together with his name, address, date of birth and such other information and identification as he may deem necessary. The identification card issued under this section shall not be valid until signed by the applicant. The fee for an identification card shall be \$2.

Any person issued an identification card shall exhibit the same upon the demand of any licensee, his servant or agent, or any law enforcement officer in carrying out his duties relating to liquor, and failure to produce the card upon demand shall entitle the licensee to refuse to sell alcoholic beverages to the person in question.

Any person who misrepresents his age or practices any deceit in the procurement of an identification card or has in his possession a false identification card or uses or exhibits for the purpose of procuring alcoholic liquor an identification card belonging to another or which has been forged or altered, or any person who loans or transfers his identification card to another for use in the procurement of alcoholic beverages shall be guilty of a misdemeanor and shall be punished by a fine of not less than \$25 nor more than \$500, or by imprisonment for not less than 5 days nor more than 11 months, or by both.

Any law enforcement officer who, in the performance of his duty, finds an identification card in the possession of a person other than the person to whom the card has been issued shall confiscate that card and return it to the Secretary of State.

The Secretary of State may adopt such rules as he deems necessary or advisable to effectuate the purposes of this section.

A motor vehicle operator's license bearing the photograph of the operator and issued under Title 29, chapter 7, may be used in place of this identification card.

Sec. 3. 29 MRSA § 540, first ¶, as amended by PL 1973, c. 285, § 2, is repealed and the following enacted in its place:

Each license shall state the name, date of birth, place of residence of the licensee, permanent number assigned him, and may contain such other information as the Secretary of State deems necessary. The license shall also bear a photograph of the licensee for the purpose of identification except that persons who renew their licenses on or after their 65th birthday, persons in active military service stationed outside the State and temporary licenses issued under section 533 may be exempt from the photograph requirement.

Every licensee shall endorse his usual signature in the place as designated before using it and no license shall be valid until so endorsed.

A fee of \$2 shall be charged for the photographic license in addition to the fee charged for the license.

Sec. 4. 29 MRSA § 540, 2nd ¶, as amended by PL 1973, c. 625, § 188, is repealed.

Sec. 5. **Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	1981-82	1982-83
SECRETARY OF STATE, DEPARTMENT OF		
Motor Vehicle Division		
Positions	(8)	(8)
Personal Services	\$10,942	\$114,848
All Other	10,968	204,680
Capital Expenditures	20,000	—
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Total	\$41,910	\$319,528

Sec. 6. **Effective date.** This Act shall take effect on July 1, 1982.

FISCAL NOTE

This Act shall generate approximately \$445,000 in a biennium. The appropriation for the fiscal year 1981-82 is for start-up costs to provide for the purchase of mobile vans and equipment for processing.

STATEMENT OF FACT

This new draft provides for an official state nondriver identification card which would be provided by the Secretary of State for a \$2 fee to persons over 20 years of age, upon request. This identification card would replace the State Liquor Commission identification card.

This new draft removes from the bill the provision establishing a central licensing agency. This new draft also allows optional use of the photo-driving license for licensees over 65.