

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 431

H.P. 285

House of Representatives, February 4, 2025

An Act Regarding Driver's Licenses for Individuals in Foster Care

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative ROEDER of Bangor.
Cosponsored by Representative: STOVER of Boothbay.

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

2 **Sec. 1. 22 MRSA §4010-F** is enacted to read:

3 **§4010-F. Driver's license fees; driver education program**

4 **1. Driver's license fee coverage.** The Office of Child and Family Services shall
5 establish a program to pay for, or in the case of paragraph A reimburse, the following fees
6 and costs incurred by a person who is in the department's custody pursuant to this chapter,
7 who is engaged in the extended care program established in section 4037-A or who is
8 engaged in the transition grant program established in section 4010-C:

9 A. All fees waived by the Secretary of State under Title 29-A, section 1251, subsection
10 8;

11 B. The cost of motor vehicle insurance obtained in accordance with Title 29-A, section
12 1354, subsection 9; and

13 C. Any additional costs related to obtaining a driver's license under Title 29-A, chapter
14 11.

15 The department may adopt rules to carry out the purposes of this subsection. Rules adopted
16 pursuant to this subsection are routine technical rules pursuant to Title 5, chapter 375,
17 subchapter 2-A.

18 **2. Driver education program.** The department shall establish a program to ensure
19 that a child in the department's custody pursuant to this chapter who is 15 years of age or
20 older is provided with the opportunity to obtain:

21 A. Assistance in obtaining a driver's license or learner's permit or enrolling in a driver
22 education course under Title 29-A, chapter 11;

23 B. Skills training for safe driving;

24 C. Supervised driving practice hours, including required hours of driving under a
25 learner's permit; and

26 D. Information on how to obtain motor vehicle insurance.

27 The department may adopt rules to carry out the purposes of this subsection. Rules adopted
28 pursuant to this subsection are routine technical rules pursuant to Title 5, chapter 375,
29 subchapter 2-A.

30 **Sec. 2. 29-A MRSA §951, sub-§7** is enacted to read:

31 **7. Purchase by minors.** A dealer shall allow a minor who is 15 years and 6 months
32 of age or older, meets the requirements of section 1251, subsection 8 and has a valid driver's
33 license under chapter 11 to contract for the purchase of a motor vehicle.

34 **Sec. 3. 29-A MRSA §1251, sub-§8** is enacted to read:

35 **8. Fees waived.** The Secretary of State shall waive all fees assessed by the bureau
36 related to obtaining an initial noncommercial Class C driver's license under this chapter for
37 a person who:

38 A. Has not attained 27 years of age and who, pursuant to Title 22, chapter 1071, is or
39 has been placed in the care of someone other than the person's parents by the
40 Department of Health and Human Services; or

1 B. Is a minor living separately and independently from the minor's parents or a legal
2 guardian. A minor may prove that the minor meets the requirements of this paragraph
3 by providing documentation determined satisfactory by the Secretary of State,
4 including, but not limited to:

5 (1) A written statement affirming that the minor meets the requirements of this
6 paragraph, signed by:

7 (a) A director or designee of a governmental or nonprofit agency that receives
8 public or private funding to provide services to homeless persons;

9 (b) A local educational agency liaison for homeless children and youth
10 designated pursuant to 42 United States Code, Section 11432(g)(1)(J)(ii)
11 (2019) or a school social worker or school counselor; or

12 (c) An attorney representing the minor;

13 (2) A copy of a protection from abuse complaint or a temporary order or final
14 order of protection against the minor's parent or legal guardian; or

15 (3) A court order of emancipation of the minor under Title 15, section 3506-A.

16 **Sec. 4. 29-A MRSA §1302, sub-§1, ¶C**, as enacted by PL 1993, c. 683, Pt. A, §2
17 and affected by Pt. B, §5, is amended to read:

18 C. When the minor ~~has no~~ does not have a parent, guardian or spouse who has attained
19 ~~the age of 18 years of age, signed by the employer of the minor if that employer is 18~~
20 ~~years of age or older; or:~~

21 (1) A person who is 19 years of age or older who is the minor's employer, the
22 minor's grandparent, the minor's sibling, the sibling of the minor's parent or that
23 sibling's spouse or the minor's foster parent as defined in Title 22, section 4002,
24 subsection 5-A; or

25 (2) An employee designated by the Department of Health and Human Services,
26 Office of Child and Family Services; or

27 **Sec. 5. 29-A MRSA §1302, sub-§3** is enacted to read:

28 **3. Liability.** A person who lawfully signs an application for a license of a minor under
29 subsection 1, paragraph C is not liable by reason of having signed the application for
30 damages caused by the negligence or willful misconduct of the minor while driving under
31 the license.

32 **Sec. 6. 29-A MRSA §1304, sub-§1, ¶H**, as amended by PL 2013, c. 496, §13, is
33 further amended by amending subparagraph (2) to read:

34 (2) The person has completed a minimum of 70 hours of driving, including 10
35 hours of night driving, while accompanied by a parent, guardian or licensed driver
36 at least 20 years of age or older. The parent, ~~stepparent~~ or guardian, or a spouse or
37 employer pursuant to person described in section 1302, subsection 1, paragraphs
38 paragraph B and or C, ~~must~~ shall certify the person's driving time on a form
39 prescribed by the Secretary of State. A parent, ~~stepparent~~, guardian, ~~spouse~~ or
40 employer person described in section 1302, subsection 1, paragraph B or C who
41 certifies a driving log pursuant to this subsection and was not the licensed driver
42 accompanying the applicant ~~must~~ shall provide the name and address of the

1 licensed driver who accompanied the applicant for the majority of the 70 hours of
2 driving. The Secretary of State may complete the certification for an applicant at
3 least 18 years of age ~~and or older~~ who ~~has no~~ does not have a parent, ~~stepparent,~~
4 guardian, ~~spouse~~ or ~~employer~~ person described in section 1302, subsection 1,
5 paragraph B or C if the applicant provides the name and address of the licensed
6 driver who accompanied the applicant for the majority of the 70 hours of driving.

7 **Sec. 7. 29-A MRSA §1354, sub-§9**, as enacted by PL 1995, c. 505, §15 and
8 affected by §22, is amended to read:

9 **9. Insurance for graduates.** Rating bureaus or independent insurers as recognized
10 by the Superintendent of Insurance may grant an automobile insurance discount for driver
11 education school graduates. A minor who is 15 years and 6 months of age or older who is
12 a driver education school graduate and who satisfies the requirements of section 1251,
13 subsection 8 may contract for an automobile insurance policy as provided in Title 24-A,
14 section 2407.

15 SUMMARY

16 This bill does the following.

17 1. It requires the Department of Health and Human Services, Office of Child and
18 Family Services to establish a program to pay for or reimburse the fees and costs incurred
19 by a person who is in the department's custody pursuant to the Child and Family Services
20 and Child Protection Act, who is engaged in the department's extended care program or
21 who is engaged in the department's transition grant program that are related to obtaining a
22 driver's license and motor vehicle insurance and additional costs related to obtaining a
23 driver's license. The department may adopt rules to implement the provisions.

24 2. It directs the Department of Health and Human Services to establish a program to
25 ensure that a minor who is 15 years of age or older and is in the department's custody is
26 provided with the opportunity to obtain: assistance in obtaining a driver's license or
27 learner's permit or enrolling in a driver education course; skills training for safe driving;
28 required hours of driving under a learner's permit; and information on how to obtain motor
29 vehicle insurance. The department may adopt rules related to the program.

30 3. It provides that a licensed motor vehicle dealer is required to allow a person who is
31 a minor 15 years and 6 months of age or older who is or has been placed in the care of
32 someone other than the person's parents by the Department of Health and Human Services,
33 or who is a minor living independently, and who has a valid driver's license to contract for
34 the purchase of a motor vehicle.

35 4. It directs the Secretary of State to waive all fees assessed by the Department of the
36 Secretary of State, Bureau of Motor Vehicles related to obtaining a license for a person
37 who has not attained 27 years of age and who is or has been placed in the care of someone
38 other than the person's parents by the department or who is a minor living independently.

39 5. It allows a minor who does not have a parent, guardian or spouse who has attained
40 18 years of age to have the minor's driver's license application signed by a person who is
41 19 years of age or older and is the minor's employer, the minor's grandparent, the minor's
42 sibling, the minor's parent's sibling or that sibling's spouse or the minor's foster parent or

1 by an employee designated by the Department of Health and Human Services, Office of
2 Child and Family Services and limits the liability of the person who signed the application.

3 6. It clarifies cross-references in the section of law related to learner's permits to reflect
4 the changes to the section of law related to driver's licenses.

5 7. It requires rating bureaus or independent insurers as recognized by the
6 Superintendent of Insurance to allow certain minors who are driver education school
7 graduates to contract for an automobile insurance policy.