

# MAINE STATE LEGISLATURE

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# 132nd MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2025

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Legislative Document

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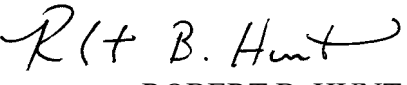
H.P. 972

House of Representatives, April 3, 2025

### **An Act Regarding Exceptions for Persons Learning to Drive Who Have Not Yet Completed a Driver Education Course**

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Reference to the Committee on Transportation suggested and ordered printed.

  
ROBERT B. HUNT  
Clerk

Presented by Representative MASTRACCIO of Sanford.

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

2       **Sec. 1. 20-A MRSA §8702**, as amended by PL 1995, c. 402, Pt. A, §47; repealed  
3 and replaced by PL 1995, c. 505, §5 and affected by §22; and amended by PL 2003, c. 545,  
4 §4, is further amended to read:

5       **§8702. Curriculum**

6       A driver education course offered in accordance with section 8701 must meet the  
7 curriculum requirements prescribed by the Secretary of State; include both classroom  
8 instruction and practice driving, except that an adult education program may offer a driver  
9 education course that includes only classroom instruction for the purpose of issuing a  
10 learner's permit under Title 29-A, section 1304, subsection 1-C; and be approved by the  
11 Secretary of State. Any state subsidy, state reimbursement for expenditures on adult  
12 education programs or state reimbursement for adult career and technical education  
13 programs may not be paid with respect to any driver education course that has not been  
14 approved by the Secretary of State.

15       **Sec. 2. 29-A MRSA §1304, sub-§1, ¶A-1** is enacted to read:

16       A-1. Notwithstanding paragraph A, a person who is 15 1/2 years of age or older, has  
17 not attained 18 years of age, has not completed a course in driver education and has  
18 successfully passed all parts of an examination other than the driving test may apply  
19 for a learner's permit pursuant to subsection 1-B.

20       **Sec. 3. 29-A MRSA §1304, sub-§1, ¶J** is enacted to read:

21       J. A person who is at least 18 years of age may apply for a learner's permit or be issued  
22 a learner's permit through an adult education program pursuant to subsection 1-C.

23       **Sec. 4. 29-A MRSA §1304, sub-§1-B** is enacted to read:

24       **1-B. Learner's permit; exception to driver education for issuance.**  
25 Notwithstanding subsection 1, paragraphs A, B and E, a person who is 15 1/2 years of age  
26 or older, has not attained 18 years of age, has successfully passed all parts of an examination  
27 other than the driving test and has not completed a course in driver education may apply  
28 for a learner's permit for the purposes of learning how to drive as long as the requirements  
29 of this subsection are met.

30       A. Unless the permittee is operating a motorcycle or moped, the learner's permit  
31 requires the permittee to be accompanied by a licensed operator who:

32               (1) Is a parent or guardian of the permittee or another responsible adult;

33               (2) Has held a valid license for at least 2 years;

34               (3) Is at least 25 years of age;

35               (4) Is occupying a seat beside the driver; and

36               (5) Is licensed to operate the class vehicle operated by the permittee.

37       The accompanying operator must adhere to all restrictions applied to the license when  
38 functioning as the permittee's accompanying operator.

39       B. The licensed operator accompanying the permittee pursuant to paragraph A is liable  
40 for any violation of this Title by the permittee.

**Sec. 5. 29-A MRSA §1304, sub-§1-C is enacted to read:**

**1-C. Learner's permit; exception to driver education for issuance to adults.** A person who is at least 18 years of age may apply for a learner's permit for the purposes of learning how to drive if:

A. The person has successfully passed all parts of an examination other than the driving test; or

B. The person has successfully completed a driver education course that includes only classroom instruction through an adult education program and has been issued a completion certificate under section 1351, subsection 3.

Notwithstanding paragraph B, a driver education course that includes only classroom instruction through an adult education program may issue a learner's permit pursuant to subsection 1-A, paragraph D if the person being issued the learner's permit is at least 18 years of age and has successfully completed the course.

**Sec. 6. 29-A MRSA §1351, sub-§2**, as amended by PL 1997, c. 393, Pt. A, §35 and affected by §37 and amended by PL 2003, c. 545, §5, is further amended to read:

**2. Approved course.** An approved driver education course is a course given by a:

A. ~~Public~~ A public secondary school;

B. Private A private secondary school approved for attendance purposes by the Commissioner of Education;

C. ~~Career~~ A career and technical education center or a career and technical education region; or

C-1. An adult education program; or

D. ~~Person~~ A person licensed by the Secretary of State.

## SUMMARY

This bill creates an exception to the law that a learner's permit applicant must complete a course in driver education prior to being issued a learner's permit. The bill allows a person who is 15 1/2 years of age, has not attained 18 years of age, has not completed a driver education course and has successfully passed all parts of an examination other than the driving test to apply for a learner's permit. A learner's permit issued to a person who is 15 1/2 years of age under the bill requires a permittee to be accompanied by the permittee's parent or guardian or another responsible adult who is licensed to operate the class of vehicle operated by the permittee, has held a license for at least 2 years and is at least 25 years of age. The accompanying operator must be seated beside the driver and is responsible for any violation of motor vehicle and traffic laws by the permittee. The bill also allows a person who is at least 18 years of age and who takes a driver education course that includes only classroom instruction through an adult education program to apply for or be issued a learner's permit upon successful completion of the course.