

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND NINTH LEGISLATURE

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**Legislative Document**

**No. 1164**

H. P. 940

House of Representatives, March 12, 1979

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

EDWIN H. PERT, Clerk

Presented by Mr. Nadeau of Lewiston.

Cosponsors: Mr. Birt of East Millinocket and Mr. McKean of Limestone.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-NINE

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**AN ACT to Provide that a Person's Picture shall Appear on His Driver's License  
and to Provide for a Photographic Identification for Nondrivers.**

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

**Sec. 1.** 28 MRSA § 1060, as last amended by PL 1977, c. 564, § 104, is repealed and the following enacted in its place:

**§ 1060. Identification cards**

**Any person issued a motor vehicle operator's license which contains a photograph of that person pursuant to Title 29, section 540 or any person issued an identification card pursuant to Title 29, section 62 shall exhibit the same upon the demand of any licensee, his servant or agent, or any law enforcement officer carrying out his duties relating to liquor, and failure to produce the operator's license or identification card upon demand shall entitle the licensee to refuse to sell alcoholic beverages to the person in question.**

**Any person who has in his possession a false motor vehicle operator's license or identification card or uses or exhibits for the purpose of procuring alcoholic liquor a motor vehicle operator's license or identification card belonging to another or which has been forged or altered, or any person who loans or transfers his motor vehicle operator's license or identification card to another for use in the procurement of alcoholic beverages shall be guilty of a Class E crime.**

Sec. 2. 29 MRSA § 62 is enacted to read:

**§ 62. Photographic identification cards**

Any resident of the State or nonresident in the State 15 years of age or older who does not have a current motor vehicle operators license containing the information set out in section 540 may make application to the Secretary of State for an identification card upon a form provided by the Secretary of State.

1. **Application.** 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 the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$500 or by both." The application shall be presented, along with such supporting documents and information as the Secretary of State shall require, at any office of the Division of Motor Vehicles within the Department of the Secretary of State. A photograph shall be taken of the applicant at the time of presentation of that form.

2. **Issuance of card.** The Secretary of State shall issue an identification card to the applicant bearing the photograph taken at the time of application, together with his name, address, date of birth and such other information and identification as the Secretary of State may deem necessary. The identification card issued under this section shall not be valid until signed by the applicant.

3. **Fee.** The fee for the issuance of an identification card shall be \$2.

4. **Confiscation of card.** 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 same has been issued shall confiscate that card and return the same to the Secretary of State.

5. **Rules and regulations.** The Secretary of State shall have the power, subject to the provisions of the Maine Administrative Procedure Act, Title 5, chapter 375, to adopt such rules and regulations as he shall deem necessary or advisable to effectuate the purposes of this section.

Sec. 3. 29 MRSA § 540, first sentence, as amended by PL 1973, c. 285, § 2, is further amended to read:

Each license shall display a photograph of the licensee taken at the time of application for the license and shall state the name, age, place of residence of the licensee and the permanent number assigned to him and may contain a brief description of the licensee for the purpose of identification and such other information as the said Secretary of State shall deem necessary.

Sec. 4. 29 MRSA § 542, as amended by PL 1977, c. 212, § 3, is further amended by inserting after the first sentence the following new sentence:

**All new or renewal licenses shall display a photograph of the licensee taken at the time of application for the license or renewal license.**

**Sec. 5. Effective date.** This Act shall take effect on July 1, 1980.

#### STATEMENT OF FACT

The purpose of this bill is to provide a uniform system of identification for Maine residents. The bill would require that all drivers' licenses have a picture of the driver. It would also provide for nondrivers identification card to be issued by the Secretary of State's office. Liquor identifications would no longer be used. The uniform identifications can be used for purchasing liquor and for other identification purposes such as cashing checks and furnishing proof of age or identity.