

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
118TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "B" to S.P. 782, L.D. 2109, Bill, "An Act to Reduce Motor Vehicle Fatalities and Injuries among Young Drivers"

Amend the bill by inserting after section 1 the following:

'Sec. 2. 29-A MRSA §1304, sub-§1, ¶ A, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

A. A person who is 15 years of age or older and--has completed--a--course--in--driver--education may apply for an instruction permit, except that a person who is 15 years of age or older and has not attained 18 years of age must complete a course in driver education before applying for an instruction permit.'

Further amend the bill by striking out all of section 3 and inserting in its place the following:

'Sec. 3. 29-A MRSA §1304, sub-§1, ¶G, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is repealed.

Sec. 4. 29-A MRSA §1304, sub-§1, ¶H is enacted to read:

H. A person under 21 years of age may not apply for a license unless:

(1) A period of 3 months has passed from the date the person was issued an instruction permit; and

2 (2) The person has completed a minimum of 35 hours of
4 driving, including 5 hours of night driving, while
6 accompanied by a parent, guardian or licensed driver at
8 least 20 years of age. The parent or guardian or a
10 person authorized by section 1302, subsection 1 to sign
 the application for the minor must certify the
 permittee's driving time on a form prescribed by the
 Secretary of State.'

12 Further amend the bill by striking out all of sections 9 to
14 11 and inserting in their place the following:

16 'Sec. 9. 29-A MRSA §2453, sub-§6, ¶B, as enacted by PL 1993,
18 c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

20 B. If the Secretary of State determines that the person
22 operated the motor vehicle at the time of the offense with a
24 passenger under ~~16~~ 21 years of age, an additional suspension
26 period of up to 275 days may be imposed.'

28 Further amend the bill by striking out all of section 14 and
30 inserting in its place the following:

32 'Sec. 14. 29-A MRSA §2472, sub-§2, as enacted by PL 1993, c.
34 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

36 2. **Suspension terms for moving violations.** If a person who
38 has not yet attained the age of 21 years is convicted or
40 adjudicated of a moving motor vehicle violation that occurred
42 within the first year from the date of issue of the a juvenile
44 provisional license issued prior to August 1, 1998 or within 2
46 years from the date of issue of a juvenile provisional license
48 issued after July 31, 1998, the Secretary of State shall suspend
 the license:

 A. For ~~30~~ 60 days on the 1st offense;

 B. For ~~60~~ 90 days on the 2nd offense; and

 C. To the 2nd birthday following the date of issue or for
 90 120 days, whichever is longer, on the 3rd offense.

 A person whose juvenile provisional license is suspended may
 request a hearing pursuant to section 2483.'

 Further amend the bill in section 19 in subsection 1 in the
 4th line (page 6, line 25 in L.D.) by striking out the
 following: "subsection ~~3~~ 3-A, paragraph ~~B~~ A" and inserting in

its place the following: 'subsection 3, paragraph B for a first offense'

Further amend the bill in section 19 in subsection 1 in paragraph A in subparagraph (2) in the last line (page 6, line 38 in L.D.) by striking out the following: "subsection 3 3-A, paragraph B A" and inserting in its place the following: 'subsection 3, paragraph B for a first offense'

Further amend the bill by striking out all of section 20 and inserting in its place the following:

'Sec. 20. Application. That section of this Act that repeals the Maine Revised Statutes, Title 29-A, section 1304, subsection 1, paragraph G applies to permits that are issued after August 1, 1998. A person who filed an application for an instruction permit or driver's license with the Secretary of State before August 1, 1998, was 17 years of age at the time of application and had not completed an approved driver education course may be issued a license by the Secretary of State. That section of this Act that amends Title 29-A, section 2472, subsection 1 applies to licenses issued on or after August 1, 1998. Provisional licenses issued under Title 29-A, section 2472, subsection 1 prior to July 1, 1998 are provisional licenses for a period of one year.'

Further amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

Further amend the bill by inserting at the end before the summary the following:

FISCAL NOTE

Increasing the time periods of license suspensions will result in a delay in the collection of reinstatement fees by the Bureau of Motor Vehicles within the Department of the Secretary of State. The resulting one-time Highway Fund revenue reduction can not be estimated at this time.

This bill may increase the number of jail sentences imposed for certain motor vehicle infractions. When a jail sentence is imposed, the additional costs to the counties are estimated to be \$86.45 per day per prisoner. These costs are not reimbursed by the State.

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2 The additional workload and administrative costs associated
4 with the minimal number of new cases filed in the court system
6 can be absorbed within the budgeted resources of the Judicial
8 Department. The collection of additional fines may increase
General Fund revenue by minor amounts.'

8 **SUMMARY**

10 This is the minority report of the Committee on
12 Transportation.

14 The amendment clarifies that a person 18 years of age or
16 older is not required to complete a course in driver education to
18 obtain an instruction permit. It clarifies who may certify
20 instruction driving time under the hours proposed in the bill.
22 It provides that the Secretary of State may impose a 275-day
24 additional suspension to an OUI violation that occurs when there
26 is a passenger under 21 years of age in the vehicle. It changes
the application date of certain provisions in the bill relating
to licenses from July 1, 1998 to August 1, 1998. It also allows
a work-restricted license to be issued to a person who violates a
juvenile provisional license by operating a vehicle with any
level of blood alcohol, but only if the violation is a first
offense. Current law allows the work-restricted license but does
not specify the violation to be a first offense.

28 The amendment also adds a fiscal note to the bill.