

# MAINE STATE LEGISLATURE

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# 122nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

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Legislative Document

No. 495

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H.P. 370

House of Representatives, February 1, 2005

### An Act To Reduce School Truancy

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Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative MAKAS of Lewiston.  
Cosponsored by Representatives: BABBIDGE of Kennebunk, CHURCHILL of Washburn,  
CRAVEN of Lewiston, GERZOFSKY of Brunswick, GREELEY of Levant, O'BRIEN of  
Lewiston, WALCOTT of Lewiston, Senator: ROTUNDO of Androscoggin.

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

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**Sec. 1. 29-A MRSA §1304, sub-§1, ¶A,** as amended by PL 1997, c. 737, §2, is further amended to read:

A. A person who is 15 years of age or older 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. A person who has not attained 17 years of age must provide proof that the person has not been declared habitually truant, as provided in Title 20-A, section 5051-A, for the current and preceding school year.

**Sec. 2. 29-A MRSA §1304, sub-§1, ¶H,** as amended by PL 2003, c. 286, §1, is further amended to read:

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

(1) A period of 6 months has passed from the date the person was issued an instruction permit and if the person has not attained 17 years of age, the person provides proof that the person has not been declared habitually truant, as provided in Title 20-A, section 5051-A, for the current school year; and

(2) The person has completed a minimum of 35 hours of driving, including 5 hours of night driving, while accompanied by a parent, guardian or licensed driver at least 20 years of age. The parent, stepparent or guardian, or a spouse or employer pursuant to section 1302, subsection 1, paragraphs B and C, must certify the person's driving time on a form prescribed by the Secretary of State.

A person 21 years of age or older is not required to submit certification of driving time to the Secretary of State.

**Sec. 3. 29-A MRSA §1304, sub-§2, ¶A,** as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

A. A person must be at least 16 years of age to apply for a motorcycle, motor-driven cycle or moped instruction permit. A person who has not attained 17 years of age must provide proof that the person has not been declared habitually truant, as provided in Title 20-A, section 5051-A, for the current and preceding school year.

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## SUMMARY

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This bill provides that a person under 17 years of age may not apply for an instruction permit to operate a motor vehicle or motorcycle and may not apply for a license unless that person provides proof that the person has not been declared habitually truant.

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