

MAINE STATE LEGISLATURE

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m
R.S.

L.D. 555

DATE: 5/9/05

(Filing No. H-289)

TRANSPORTATION

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 410, L.D. 555, Bill, "An Act To Enhance Driver Education and Safety"

Amend the bill by striking out all of section 1 and inserting in its place the following:

'Sec. 1. 29-A MRSA §1357 is enacted to read:

§1357. Advanced driver education

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Advanced driver education" means any type of classroom instruction in the driving of an automobile, excluding a motorcycle, given for remuneration or course credit to an individual who possesses or who previously possessed a valid driver's license.

B. "Instructor" means a person engaged in teaching advanced driver education.

2. Advanced driver education course authorized. Notwithstanding sections 1351, 1352, 1353 and 1354, a person may provide advanced driver education in accordance with the following provisions.

COMMITTEE AMENDMENT "A" to H.P. 410, L.D. 555

2 A. A person may not provide advanced driver education unless
3 licensed by the Secretary of State. An instructor license
4 is valid for 3 years from the date of issuance. An
5 applicant for an instructor license must meet the following
6 requirements.

7 (1) The person is at least 21 years of age and has a
8 high school diploma or its equivalent.

9 (2) The person has at least 4 years of driving
10 experience as a licensed operator and possesses a valid
11 driver's license.

12 (3) The person has not been convicted for a moving
13 criminal traffic offense within the last 3 years,
14 except for operating without a driver's license if the
15 license was expired less than 5 years and operating
16 with an expired registration.

17 (4) The person has not been designated as an
18 accident-prone driver pursuant to section 1308 within
19 the last year.

20 (5) The person has not had a driver's license
21 suspended or revoked within the last 6 years pursuant
22 to sections 2411, 2453, 2454, 2456, 2457, 2472, 2521,
23 2525, 2554, 2555 or 2557.

24 (6) The person has not been convicted within the last
25 10 years for any crimes for which more than one year of
26 incarceration may be ordered.

27 (7) The person must have at least one year of
28 training, education or experience in driver education,
29 driver evaluation, assessment or testing or teaching
30 defensive driving.

31 B. An advanced driver education course must include
32 instruction that imparts the understanding and skills
33 necessary to operate a motor vehicle safely. An instructor
34 is responsible for the facilities, operation and curriculum
35 of an advanced driver education course. The curriculum must
36 be filed with the Secretary of State annually.

37 C. A student record sheet must be kept for each student and
38 maintained for a period of at least 3 years from the date
39 advanced driver education was provided. The student record
40 sheet must contain the following information:

41 (1) The name and address of the student; and



Approved: 05/05/05 *MAC*

122nd MAINE LEGISLATURE

LD 555

LR 0972(02)

An Act To Enhance Driver Education and Safety

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Transportation

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund
Minor revenue increase - General Fund
Minor cost increase - Highway Fund
Minor revenue increase - Highway Fund

Correctional and Judicial Impact Statements:

Establishes a new Class E crime.

The collection of additional fines may increase General Fund revenue by minor amounts.

Fiscal Detail and Notes

The Bureau of Motor Vehicles will incur minor costs to process advanced driver education licenses and will receive minor amounts of revenue for the Highway Fund for license fees.