

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 555

H.P. 410

House of Representatives, February 3, 2005

An Act To Enhance Driver Education and Safety

(EMERGENCY)

Reference to the Committee on Transportation suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative FLETCHER of Winslow.
Cosponsored by Senator SNOWE-MELLO of Androscoggin and
Representative: BROWNE of Vassalboro.

2 **Emergency preamble.** Whereas, acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

4
6 **Whereas,** advanced driver education provides instruction to
improve drivers' knowledge and skills; and

8 **Whereas,** enhancing driver education increases public safety
by reducing traffic accidents and fatalities; and

10
12 **Whereas,** it is necessary that this Act take effect
immediately to ensure the safety of the State's drivers; and

14 **Whereas,** in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
16 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
18 safety; now, therefore,

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

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

24 **§1357. Advanced driver education**

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

30 A. "Advanced driver education" means any type of voluntary
32 instruction or tutoring in the driving of a motor vehicle
given to a person with a valid driver's license.

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

36 C. "Person" means an individual or individuals, firm,
38 partnership, association or corporation.

40 **2. Advanced driver education course authorized.**
42 Notwithstanding chapter 11, subchapter 3, a person may provide
voluntary advanced driver education in accordance with the
44 following provisions.

46 A. An advanced driver education course must include
instruction that imparts the understanding and skills
necessary to operate a motor vehicle safely.

48 B. An instructor of an advanced driver education course is
50 not subject to the license and fee requirements under

2 section 1354. An instructor is responsible for the
3 facilities, operations and curriculum of an advanced driver
4 education course.

5 C. A person who participates in an advanced driver
6 education course must be at least 21 years of age and have a
7 valid driver's license.

8 3. Fees. A person who provides voluntary advanced driver
9 education classroom instruction may assess a fee to be paid by
10 participants of the advanced driver education course. Fees
11 charged must approximate the direct costs of delivering the
12 course.

13 **Emergency clause.** In view of the emergency cited in the
14 preamble, this Act takes effect when approved.

15

16 SUMMARY

17

18 This bill authorizes an individual or entity to provide
19 voluntary advanced driver education instruction to a person at
20 least 21 years of age who has a valid driver's license.
21
22