

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 387

H.P. 303

House of Representatives, January 26, 2007

An Act To Improve the Driver Education and Evaluation Programs

Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.
Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative WALCOTT of Lewiston.
Cosponsored by Senator MARTIN of Aroostook and
Representative: WEBSTER of Freeport.

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

2 **Sec. 1. 5 MRSA §20072**, as amended by PL 1999, c. 448, §4, is further amended
3 to read:

4 **§20072. Driver Education and Evaluation Programs**

5 The Driver Education and Evaluation Programs are established in the office. The
6 Driver Education and Evaluation Programs shall administer the alcohol and other drug
7 education, evaluation and treatment programs as provided in this chapter. The office
8 shall certify to the Secretary of State: those individuals who have satisfactorily completed
9 a program pursuant to section 20073-B.

10 ~~**1. Completion of Driver Education and Evaluation Programs.** Those individuals~~
11 ~~who have satisfactorily completed a program pursuant to section 20073-B; and~~

12 ~~**2. Completion of treatment other than Driver Education and Evaluation**~~
13 ~~**Programs.** Those individuals who have satisfied the requirement for completion of~~
14 ~~treatment as defined in section 20071 by means other than a program pursuant to section~~
15 ~~20073-B.~~

16 **Sec. 2. 5 MRSA §20078-A, sub-§6, ¶A**, as enacted by PL 1993, c. 631, §7, is
17 repealed.

18 **Sec. 3. 29-A MRSA §2502, sub-§1**, as amended by PL 2001, c. 511, §7, is
19 further amended to read:

20 **1. Issuance of special license.** Following the expiration of the total period of
21 suspension imposed on a first-time offender pursuant to Title 15, section 3314 or sections
22 2411, 2453, 2472 and 2521, the Secretary of State shall issue a special license or permit
23 to the person if the Secretary of State receives written notice that the person has
24 completed the assessment components of the alcohol and other drug program pursuant to
25 Title 5, section 20073-B. ~~First offenders who have registered for the completion of~~
26 ~~treatment programs as described in Title 5, section 20072, subsection 2 are entitled to~~
27 ~~receive a special license after completion of 3 treatment sessions provided by a counselor~~
28 ~~or agency approved by the Office of Substance Abuse.~~ A special license or permit may
29 not be issued under this section to 2nd and subsequent offenders.

30 **SUMMARY**

31 This bill amends the laws regarding the Driver Education and Evaluation Programs.
32 It discontinues the completion of treatment other than Driver Education and Evaluation
33 Programs requirement. Individuals who lose their licenses for operating under the
34 influence of alcohol and other drugs will be required to attend the educational component
35 of the Driver Education and Evaluation Programs, if evidence of a substance abuse
36 problem exists, and treatment, if indicated by the evaluation.