

# 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)

5MB  
2011

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34

Date: 3/15/11

**TRANSPORTATION**

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
125TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 43, L.D. 50, Bill, "An Act To Allow Provisional Drivers To Transport Persons under Guardianship and Children of Active Military Personnel"

Amend the bill in section 1 by striking out all of paragraph A (page 1, lines 4 to 13 in L.D.) and inserting the following:

'A. Carry passengers other than immediate family members unless accompanied by a licensed operator who meets the requirements of section 1304, subsection 1, paragraph E. For the purpose of this paragraph, "immediate family member" includes ~~a foreign exchange student that is~~ the following when living with the immediate family:

- (1) A foreign exchange student;
- (2) A person who is under court-appointed guardianship of an immediate family member; and
- (3) A child whose parent is deployed for military service and is under guardianship of an immediate family member as provided on a United States Department of Defense Armed Forces Family Care Plan, DA Form 5305 or its successor form.

For the purpose of this paragraph, "deployed for military service" means assigned to active military duty with the state military forces, as defined in Title 37-B, section 102, or the United States Armed Forces, including the National Guard and Reserves, whether pursuant to orders of the Governor or the President of the United States, when the duty assignment is in a combat theater, in an area where armed conflict is taking place or in an area away from a person's normal duty station.'

**SUMMARY**

This amendment modifies the exception in the bill allowing a young driver to carry a passenger who is a person under guardianship of an immediate family member to specify

**COMMITTEE AMENDMENT**

1 that the guardianship is court-appointed. This amendment also adds details to the  
2 provision allowing a young driver to carry a child whose parent is deployed for military  
3 service, specifying that the child must be under guardianship of an immediate family  
4 member as provided on an Armed Forces Family Care Plan form. The amendment  
5 defines "deployed for military service" to mean assigned to active military duty with the  
6 state military forces, as defined in the Maine Revised Statutes, Title 37-B, section 102, or  
7 the United States Armed Forces, including the National Guard and Reserves, whether  
8 pursuant to orders of the Governor or the President of the United States, when the duty  
9 assignment is in a combat theater, in an area where armed conflict is taking place or in an  
10 area away from a person's normal duty station.

11 **FISCAL NOTE REQUIRED**

12 **(See attached)**



Approved: 02/25/11 *mac*

# 125th MAINE LEGISLATURE

LD 50

LR 330(02)

**An Act To Allow Provisional Drivers To Transport Persons under Guardianship and Children of Active Military Personnel**

**Fiscal Note for Bill as Amended by Committee Amendment "A"**  
**Committee: Transportation**  
**Fiscal Note Required: Yes**

---

## Fiscal Note

Minor savings - General Fund  
Minor revenue decrease - General Fund

### Correctional and Judicial Impact Statements

A reduction in fines will decrease General Fund revenue by minor amounts.