

MAINE STATE LEGISLATURE

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87MS
ROE/S

L.D. 1392

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Date: 5/28/2013

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TRANSPORTATION

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STATE OF MAINE

6

SENATE

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126TH LEGISLATURE

8

FIRST REGULAR SESSION

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COMMITTEE AMENDMENT "A" to S.P. 494, L.D. 1392, Bill, "An Act To Amend the Motor Vehicle Laws"

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Amend the bill in Part A by striking out all of section 3.

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Amend the bill in Part B by striking out all of sections 2 to 4.

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Amend the bill in Part B in section 15 in subsection 5 in the blocked paragraph in the first line (page 6, line 4 in L.D.) by striking out the following: "2014" and inserting the following: '2015'

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Amend the bill in Part B in section 19 in the first line (page 6, line 32 in L.D.) by striking out the following: "2011, c. 654, §2" and inserting the following: '2013, c. 77, §1'

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Amend the bill in Part B in section 19 in §1304 in subsection 1 in paragraph H in subparagraph (2) in the first line (page 7, line 33 in L.D.) by striking out the following: "35 hours of driving, including 5" and inserting the following: '35 70 hours of driving, including 5 10'

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Amend the bill in Part B in section 19 in §1304 in subsection 2 by striking out all of paragraphs G and H (page 8, lines 24 to 28 in L.D.) and inserting the following:

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'G. ~~An instruction~~ A learner's permit does not allow the holder to carry a passenger.

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H. The fee for a motorcycle or moped ~~instruction~~ learner's permit and the first road test is \$10. The fee for a subsequent examination is \$5.'

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Amend the bill in Part B in section 19 in §1304 in subsection 3 in the blocked paragraph in the first line (page 9, line 3 in L.D.) by striking out the following: "2014" and inserting the following: '2015'

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Amend the bill in Part B in section 19 in §1304 in subsection 4 in the blocked paragraph in the first line (page 9, line 18 in L.D.) by striking out the following: "2014" and inserting the following: '2015'

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Amend the bill in Part B in section 19 in §1304 in subsection 4-A in the blocked paragraph in the first line (page 10, line 41 in L.D.) by striking out the following: "2014" and inserting the following: '2015'

Amend the bill in Part B in section 19 in §1304 by inserting at the end a new paragraph to read:

'A learner's permit issued under this section may be issued only by the Secretary of State.'

Amend the bill in Part B in section 20 in §1307 in subsection 1 in the 2nd and 3rd lines (page 11, lines 13 and 14 in L.D.) by striking out the following: "~~\$35~~ \$37, which includes the first road test. A reexamination is ~~\$15~~ \$17" and inserting the following: '\$35, which includes the first road test. A reexamination is \$15'

Amend the bill in Part B in section 20 in §1307 in subsection 2 in the 2nd and 3rd lines (page 11, lines 16 and 17 in L.D.) by striking out the following: "~~\$10~~ \$12, which includes the first road test. A reexamination is ~~\$5~~ \$7" and inserting the following: '\$10, which includes the first road test. A reexamination is \$5'

Amend the bill in Part B in section 20 in §1307 in subsection 3 in the last line (page 11, line 20 in L.D.) by striking out the following: "~~\$10~~ \$12. A reexamination is ~~\$5~~ \$7" and inserting the following: '\$10. A reexamination is \$5'

Amend the bill in Part B in section 20 in §1307 in subsection 4 in the 3rd and 4th lines (page 11, lines 23 and 24 in L.D.) by striking out the following: "~~\$30~~ \$32 fee for a Class A or Class B examination and ~~\$20~~ \$22" and inserting the following: '\$30 fee for a Class A or Class B examination and \$20'

Amend the bill in Part B in section 26 in §1405 in subsection 3 in the 2nd line (page 13, line 5 in L.D.) by striking out the following: "~~\$2~~ \$4. The fee for a duplicate license and nondriver identification card is ~~\$5~~ \$7" and inserting the following: '\$2. The fee for a duplicate license and nondriver identification card is \$5'

Amend the bill in Part B by striking out all of section 27 and inserting the following:

'Sec. B-27. 29-A MRSA §1406, as amended by PL 2013, c. 51, §§3 to 5, is repealed.'

Amend the bill in Part B in section 28 in §1406-A in subsection 1 in paragraph A in the first line (page 13, line 15 in L.D.) by striking out the following: "A" and inserting the following: 'Except as provided in section 1255, a'

Amend the bill in Part B in section 28 in §1406-A in subsection 1 by striking out all of paragraph B (page 13, lines 19 to 21 in L.D.) and inserting the following:

'B. Except as provided in section 1255, a commercial driver's license to operate a motor vehicle issued to a person under 65 years of age expires at midnight on the license holder's 5th birthday following the date of issuance. The fee for the 5-year commercial driver's license is \$34.'

Amend the bill in Part B in section 28 in §1406-A in subsection 1 in paragraph C in the 4th line (page 13, line 25 in L.D.) by inserting after the following: "paragraph A" the following: 'and except as provided in section 1255'

COMMITTEE AMENDMENT

ROFS

1 Amend the bill in Part B by striking out all of sections 30, 32, 34, 35 and 37.

2 Amend the bill in Part C by inserting after section 2 the following:

3 'Sec. 3. 29-A MRSA §1354, sub-§10 is enacted to read:

4 10. Surety bond. The Secretary of State shall require a driver education school
5 licensed pursuant to subsection 2 to provide a surety bond to guarantee the discharge of
6 the duties required under this subchapter.'

7 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
8 section number to read consecutively.

9 **SUMMARY**

10 This amendment does the following.

11 1. It removes the provision of the bill that increases the fee for the Purple Heart
12 motorcycle vanity plate from \$15 to \$25.

13 2. It removes the provisions of the bill that allow the Secretary of State to receive
14 law enforcement intelligence and investigative information without redaction to assist in
15 the determination and issuance of driver's license suspensions. These provisions are
16 addressed in another bill referred to the Joint Standing Committee on Criminal Justice
17 and Public Safety.

18 3. It corrects repeal dates in the bill.

19 4. The amendment clarifies that a learner's permit may be issued only by the
20 Secretary of State and not by a driver education school or instructor.

21 5. It provides that a person under 21 years of age may not apply for a license unless
22 the person has completed 70 hours of driving, including 10 hours of night driving, while
23 accompanied by a parent, guardian or licensed driver at least 20 years of age.

24 6. It removes the provisions of the bill that increase fees for driving exams by \$2.

25 7. It removes the provision in the bill that increases the fee for a duplicate document
26 by \$2.

27 8. It alters the provision in the bill that changes the expiration term for a commercial
28 driver's license for a person under 65 years of age from 5 years to 4 years, to retain the
29 current 5-year term.

30 9. It removes the provisions that increase the fee for a nondriver identification card
31 by \$2 and increase the reinstatement fee for suspensions for OUI and failure to submit to
32 tests from \$50 to \$100.

33 10. It removes the provision that changes the term "accident" to "reportable accident"
34 in law regarding unsatisfied judgments and the Secretary of State's authority in carrying
35 out financial responsibility requirements. This provision is addressed in another bill.

36 11. It requires a driver education school to provide a surety bond to guarantee its
37 discharge of duties.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



126th MAINE LEGISLATURE

LD 1392

LR 484(02)

An Act To Amend the Motor Vehicle Laws

Fiscal Note for Bill as Amended by Committee Amendment **A(S-133)**
Committee: Transportation
Fiscal Note Required: Yes

Fiscal Note

	FY 2013-14	FY 2014-15	Projections FY 2015-16	Projections FY 2016-17
Net Cost (Savings)				
Highway Fund	\$73,125	\$73,125	\$73,125	\$73,125
Revenue				
Highway Fund	(\$73,125)	(\$73,125)	(\$73,125)	(\$73,125)

Fiscal Detail and Notes

This legislation will result in a reduction in Highway Fund revenue of \$73,125 beginning in fiscal year 2013-14 from prorating lawfully present noncitizens' driver's license fees based upon the authorized duration of stay.