

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 134

S.P. 53

In Senate, January 17, 2017

**An Act To Allow the Secretary of State To Issue Licenses Pending  
Receipt of Necessary Paperwork from the Driver Education and  
Evaluation Program**

(AFTER DEADLINE)

(EMERGENCY)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script, reading "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Secretary of the Senate

Presented by Senator MAKER of Washington.

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

3 **Whereas**, Maine is a rural state where the possession of a valid driver's license is  
4 necessary for residents to work, go to school and perform other activities of daily life; and

5 **Whereas**, first-time offenders under various motor vehicle driving laws who have  
6 had their licenses suspended may receive a driver's licenses from the Secretary of State  
7 after completing certain elements of the driver education and evaluation program  
8 conducted by the Department of Health and Human Services; and

9 **Whereas**, bureaucratic processes often delay the transmission of official notice of  
10 completion of certain elements of the driver education and evaluation program from the  
11 Department of Health and Human Services to the Secretary of State; and

12 **Whereas**, participants who suffer delays in transmission of official notice of  
13 completion of the driver education and evaluation program after fulfilling all  
14 requirements necessary to receive a driver's license from the Secretary of State experience  
15 hardship due to the delay in receiving the driver's license through no fault of their own;  
16 and

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

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

22 **Sec. 1. 29-A MRSA §2505-A** is enacted to read:

23 **§2505-A. Documentation of program completion**

24 In conjunction with license restoration for a first-time offender whose license was  
25 suspended under section 2411, 2453, 2453-A, 2472 or 2521 or under Title 15, section  
26 3314, the Secretary of State may issue a license pending receipt of official notice that the  
27 person has completed all the required components of the alcohol and other drug program  
28 pursuant to Title 5, section 20073-B if the person provides documentation that the person  
29 has completed all the requirements of the program.

30 This section is repealed December 31, 2017.

31 **Emergency clause.** In view of the emergency cited in the preamble, this  
32 legislation takes effect when approved.

33 **SUMMARY**

34 This bill allows a person who has completed the Department of Health and Human  
35 Services driver education and evaluation program to receive a driver's license upon  
36 providing documentation of completion of the program before official notice of

1 completion is received by the Secretary of State directly from the Department of Health  
2 and Human Services. This provision automatically repeals itself December 31, 2017.