

MAINE STATE LEGISLATURE

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Majority

(Filing No. S-17)

TRANSPORTATION

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STATE OF MAINE

SENATE

128TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 92, L.D. 306, Bill, "An Act To Require State Compliance with Federal REAL ID Guidelines"

Amend the bill by inserting after the enacting clause and before section 1 the following:

Sec. 1. 29-A MRSA §1260 is enacted to read:

§1260. REAL ID compliant driver's license or nondriver identification card

The Secretary of State may issue, upon request of the applicant, a driver's license under this subchapter or a nondriver identification card under section 1410 that meets the standards of the federal REAL ID Act of 2005, Public Law 109-13. A person may not hold a REAL ID compliant driver's license simultaneously with another license with the same class or restriction indicated on the license.

Sec. 2. 29-A MRSA §1301, sub-§2-A, as amended by PL 2013, c. 163, §1, is further amended to read:

2-A. Legal presence requirement. The Secretary of State may not issue a license to an applicant unless the applicant presents to the Secretary of State valid documentary evidence of legal presence in the United States, ~~except that the Secretary of State may exempt a person from the requirements of this subsection if that person is renewing a noncommercial driver's license and that person has continuously held a valid driver's license under this chapter since December 31, 1989 or was born before December 1, 1964.~~

Sec. 3. 29-A MRSA §1401, sub-§9, as enacted by PL 2011, c. 149, §6, is amended to read:

9. Use of biometric technology. The Secretary of State may ~~not~~ use biometric technology, including, but not limited to, retinal scanning, facial recognition or fingerprint technology, to produce a license or nondriver identification card. ~~This subsection does not apply to digital images.~~

COMMITTEE AMENDMENT

1 **Sec. 4. 29-A MRSA §1405, sub-§3**, as repealed and replaced by PL 2015, c. 206,
2 §7, is amended to read:

3 **3. Fee.** The fee for a duplicate registration certificate is \$2. The fee for a duplicate
4 learner's permit, duplicate license or duplicate nondriver identification card is \$5. The fee
5 for a duplicate license or duplicate nondriver identification card under section 1260 is
6 \$30.

7 **Sec. 5. 29-A MRSA §1406-A, sub-§§1 and 2**, as enacted by PL 2013, c. 381,
8 Pt. B, §25, are amended to read:

9 **1. Driver's license fees; expiration of license; persons under 65 years of age.** The
10 following provisions apply to the expiration of a driver's license for persons under 65
11 years of age.

12 A. Except as provided in section 1255, a noncommercial driver's license to operate a
13 motor vehicle issued to a person under 65 years of age expires at midnight on the
14 license holder's 6th birthday following the date of issuance. ~~The fee for the 6-year~~
15 ~~noncommercial driver's license is \$30~~ following fees apply.

16 (1) The fee for the 6-year noncommercial driver's license is \$30.

17 (2) The fee for the 6-year noncommercial driver's license under section 1260 is
18 \$55.

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

23 (1) The fee for the 5-year commercial driver's license is \$34.

24 (2) The fee for the 5-year commercial driver's license under section 1260 is \$59.

25 **2. Driver's license fees; expiration of license; persons 65 years of age and over.**
26 A noncommercial or commercial driver's license to operate a motor vehicle issued to a
27 person 65 years of age or older at the date of issuance expires at midnight on the license
28 holder's 4th birthday following the date of issuance. ~~The fee for the 4-year~~
29 ~~noncommercial driver's license is \$21.~~ ~~The fee for the 4-year commercial driver's license~~
30 ~~is \$28~~ following fees apply.

31 A. The fee for the 4-year noncommercial driver's license is \$21.

32 B. The fee for the 4-year noncommercial driver's license under section 1260 is \$41.

33 C. The fee for the 4-year commercial driver's license is \$28.

34 D. The fee for the 4-year commercial driver's license under section 1260 is \$48.

35 **Sec. 6. 29-A MRSA §1410, sub-§8**, as amended by PL 2013, c. 163, §2, is
36 further amended to read:

37 **8. Legal presence requirement.** The Secretary of State may not issue a nondriver
38 identification card to an applicant unless the applicant presents to the Secretary of State
39 valid documentary evidence of legal presence in the United States, ~~except that the~~

1 ~~Secretary of State may exempt a person from the requirements of this subsection if that~~
2 ~~person has continuously held a nondriver identification card or valid driver's license~~
3 ~~under this chapter since December 31, 1989 or was born before December 1, 1964.~~

4 **Sec. 7. 29-A MRSA §1410, sub-§11** is enacted to read:

5 **11. REAL ID compliant nondriver identification card; fee.** The fee for a
6 nondriver identification card under section 1260 is \$30.'

7 Amend the bill by adding after section 2 the following:

8 **'Sec. 3. Appropriations and allocations.** The following appropriations and
9 allocations are made.

10 **SECRETARY OF STATE, DEPARTMENT OF**

11 **Administration - Motor Vehicles 0077**

12 Initiative: Provides allocations to implement the federal REAL ID Act of 2005.

13	HIGHWAY FUND	2017-18	2018-19
14	All Other	\$343,853	\$823,919
15	Capital Expenditures	\$0	\$27,060
16			
17	HIGHWAY FUND TOTAL	<u>\$343,853</u>	<u>\$850,979</u>

18 **Sec. 4. Effective date.** Those sections of this Act that enact the Maine Revised
19 Statutes, Title 29-A, section 1260 and section 1410, subsection 11 and amend Title 29-A,
20 sections 1301, 1401, 1405, 1406-A and 1410 take effect July 1, 2019.'

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

23 **SUMMARY**

24 This amendment, which is the majority report, provides that the Secretary of State
25 may issue a driver's license or nondriver identification card that meets the standards of the
26 federal REAL ID Act of 2005. The amendment also establishes fees for REAL ID
27 compliant driver's licenses and nondriver identification cards.

28 Current law allows the Secretary of State to exempt a person from having to present
29 documentary evidence of legal presence in the United States if that person is renewing a
30 noncommercial driver's license and that person has continuously held a valid driver's
31 license since December 31, 1989 or was born before December 1, 1964. Current law also
32 provides that the Secretary of State may exempt a person from having to present
33 documentary evidence of legal presence for a nondriver identification card if that person
34 has held a nondriver identification card or valid driver's license since December 31, 1989
35 or was born before December 1, 1964. This amendment repeals these exemptions in
36 order for the Secretary of State to comply with the requirements of the federal REAL ID
37 Act of 2005.



128th MAINE LEGISLATURE

LD 306

LR 1220(02)

An Act To Require State Compliance with Federal REAL ID Guidelines

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Transportation

Fiscal Note Required: Yes

(S-17)

Fiscal Note

	FY 2017-18	FY 2018-19	Projections FY 2019-20	Projections FY 2020-21
Net Cost (Savings)				
Highway Fund	\$343,853	\$850,979	(\$789,872)	(\$789,872)
Appropriations/Allocations				
Highway Fund	\$343,853	\$850,979	\$1,149,743	\$1,149,743
Revenue				
Highway Fund	\$0	\$0	\$1,939,615	\$1,939,615

Fiscal Detail and Notes

The bill includes Highway Fund allocations of \$343,853 in fiscal year 2017-18 and \$850,979 in fiscal year 2018-19 to the Department of Secretary of State to fully implement the federal REAL ID Act of 2005. Highway Fund revenue would increase by \$1,939,615 beginning in fiscal year 2019-20 from the issuance of REAL ID compliant drivers' licenses and nondriver identification cards.