

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

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Legislative Document

No. 1374

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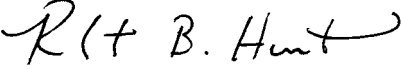
H.P. 888

House of Representatives, March 28, 2023

### **An Act to Improve Driver Safety by Requiring the Completion of a Defensive Driving Course for Certain Violations**

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Reference to the Committee on Transportation suggested and ordered printed.

  
ROBERT B. HUNT  
Clerk

Presented by Representative MONTELL of Gardiner.  
Cosponsored by Senator FARRIN of Somerset and  
Representatives: ANKELES of Brunswick, CRAFTS of Newcastle, MASON of Lisbon,  
O'CONNELL of Brewer, RISEMAN of Harrison, THERIAULT of Fort Kent, WHITE of  
Waterville, Senator: DAUGHTRY of Cumberland.

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

2 **Sec. 1. 29-A MRSA §2118, sub-§3** is enacted to read:

3 **3. Defensive driving course requirement.** A person adjudicated of violating this  
4 section must submit to the Secretary of State proof of completion of a defensive driving  
5 course approved by the Department of Public Safety pursuant to Title 23, section 4208.  
6 The course must be completed subsequent to the date of the violation of this section. If the  
7 Secretary of State does not receive proof of completion of a defensive driving course within  
8 90 days of the date of adjudication of the violation, the Secretary of State shall assess  
9 additional demerit points under the system adopted pursuant to section 2458, subsection 3.

10 **Sec. 2. 29-A MRSA §2119, sub-§3, ¶C** is enacted to read:

11 C. A person adjudicated of violating this section must submit to the Secretary of State  
12 proof of completion of a defensive driving course approved by the Department of  
13 Public Safety pursuant to Title 23, section 4208. The course must be completed  
14 subsequent to the date of the violation of this section. If the Secretary of State does not  
15 receive proof of completion of a defensive driving course within 90 days of the date of  
16 adjudication of the violation, the Secretary of State shall assess additional demerit  
17 points under the system adopted pursuant to section 2458, subsection 3.

18 **Sec. 3. 29-A MRSA §2121, sub-§3**, as amended by PL 2019, c. 579, §2, is further  
19 amended to read:

20 **3. Penalty.** A person who violates this section commits a traffic infraction for which  
21 a fine of \$50 for the first offense and \$250 for a 2nd or subsequent offense may be adjudged.  
22 A person adjudicated of violating this section must submit to the Secretary of State proof  
23 of completion of a defensive driving course approved by the Department of Public Safety  
24 pursuant to Title 23, section 4208. The course must be completed subsequent to the date of  
25 the violation of this section. If the Secretary of State does not receive proof of completion  
26 of a defensive driving course within 90 days of the date of adjudication of the violation, the  
27 Secretary of State shall assess additional demerit points under the system adopted pursuant  
28 to section 2458, subsection 3.

29 **Sec. 4. 29-A MRSA §2458, sub-§3**, as enacted by PL 1993, c. 683, Pt. A, §2 and  
30 affected by Pt. B, §5, is amended by enacting after the 3rd blocked paragraph a new blocked  
31 paragraph to read:

32 Assessment of points under this system must be consistent with sections 2118, 2119 and  
33 2121. The Secretary of State may amend the Secretary of State's rules to make them  
34 consistent with sections 2118, 2119 and 2121.

## 35 SUMMARY

36 This bill requires the completion of a defensive driving course for certain traffic  
37 infractions and requires the assessment of additional demerit points under the system  
38 adopted by the Secretary of State if the course is not completed within 90 days of  
39 adjudication of the traffic infraction. It also allows the Secretary of State to amend the  
40 Secretary of State's rules to make them consistent with those requirements.