

MAINE STATE LEGISLATURE

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ACTS, RESOLVES AND CONSTITUTIONAL RESOLUTIONS

AS PASSED BY THE

One Hundred and Sixth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with the Revised Statutes of 1964, Title 3, Section 164, Subsection 6.

THE KNOWLTON AND McLEARY COMPANY
FARMINGTON, MAINE
1973

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Sixth Legislature

1973

In a prosecution for a crime specified in this subchapter, a certified copy of a conviction under section 2442 is admissible to impeach the credibility of the defendant.

§ 2447. Construction with other laws

The penal provisions of this subchapter in no way repeal or modify any existing provision of criminal law but are additional and supplementary thereto.

Sec. 2. Appropriation. There is appropriated from the General Highway Fund the sum of \$186,433 to the Secretary of State, Motor Vehicle Division, to carry out the purposes of this Act. The breakdown shall be as follows:

	1973-74		1974-75
SECRETARY OF STATE			
Motor Vehicle Division			
Personal Services	(4) \$23,161	(16)	\$ 91,104
All Other	20,790		32,760
Capital Expenditures	16,074		2,544
	\$60,025		\$126,408

Effective October 3, 1973

CHAPTER 587

AN ACT Providing for Motor Vehicle Operator's License Classification.

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

Sec. 1. R. S., T. 29, § 531, amended. The last sentence of section 531 of Title 29 of the Revised Statutes is repealed as follows:

~~A person to whom a license to operate a motor vehicle has been issued, unless such license contains a special limitation or restriction, may operate any registered motor vehicle~~

Sec. 2. R. S., T. 29, § 531, amended. Section 531 of Title 29 of the Revised Statutes is amended by adding at the end the following new paragraphs, to read as follows:

The Secretary of State shall issue a classified license which shall indicate the classification for which the applicant has made application and has therefor qualified by examination or by such other means as the Secretary of State shall prescribe.

Effective January 1, 1974, all original licenses issued to operate motor vehicles and all renewals to operate such vehicles issued by the Secretary of State shall be invalid for the operation of vehicles other than the class of license so endorsed. The Secretary of State shall appropriately examine each applicant, as provided in section 581, according to the class for which application was made. The license of each applicant shall be endorsed appropriately with

respect to his qualifications to operate said vehicles. The fee for each such examination shall be \$3. The fee for each subsequent examination shall be \$2.

There shall be 3 classes of licenses which shall entitle the holder to operate motor vehicles or a combination of vehicles as follows:

1. Class 1. Any motor vehicle or combination of vehicles, including "Class 2 or 3," except school bus, motorcycle or motor driven cycle;
2. Class 2. Any single unit vehicle of over 18,000 pounds gross weight, any bus carrying passengers, including "Class 3," except school bus, motorcycle or motor driven cycle;
3. Class 3. Any motor vehicle or combination of vehicles not exceeding a gross weight of 18,000 pounds or any registered farm motor truck bearing the letter F, except school bus, motorcycle or motor driven cycle;
4. Motorcycle or motor driven cycle; school bus; special endorsement. School buses, motorcycles or motor driven cycles shall not be given a separate class but their use shall be provided for by special endorsement on their operator's license. Such endorsement shall be made only after the applicant has successfully passed such examination designed for the specific vehicle as provided elsewhere in this Title.

For a period of one year from the effective date of this Act, persons holding a valid license to operate motor vehicles, issued by the Secretary of State, provided such licenses are not suspended or revoked and provided that such licenses are not restricted to the operation of motorcycles or motor driven cycles only, may apply to the Secretary of State to have such licenses endorsed "Class 1" or "Class 2" without payment of additional fee and without examination as follows:

1. Experience qualification for endorsement. Application for endorsement must be submitted on such form as the Secretary of State shall prescribe, accompanied by affidavit of experience from both applicant and employer and past driving record, if any, if such record is not readily available within the records section of the Motor Vehicle Division, or supplying other such information as the Secretary of State shall require to determine whether the applicant has adequate experience for the class applied for.

2. Experience. Accepted as satisfactory experience:

- A. At least one full year during the past 3 years of full-time paid experience operating a vehicle in the class applied for or at least 10,000 miles of driving experience during the past year operating a vehicle in the class applied for;

- B. Accepted in lieu of an affidavit from the employer, the applicant may submit records that the Department of Transportation, Federal Highway Administration requires a motor carrier to maintain or records of the Maine Public Utilities Commission or similar public agency in another state showing experience as provided in paragraph A;

C. Where an applicant does not qualify under the foregoing requirements, but claims entitlement to such endorsement, he may complete an application for such endorsement, outlining in detail his experience, training or special circumstances. Such application may be submitted to the Secretary of State for consideration.

No application for endorsement is required for a "Class 3" license.

Any person who operates a vehicle or combination not included within the class of license issued to him is deemed to be operating a vehicle without being duly licensed and is subject to the general penalties for such offenses as provided in section 2303.

Nothing in this section shall prevent a member of an organized or volunteer fire department, holding a valid operator's license, from operating fire apparatus in response to an emergency fire alarm signal when a qualified licensed driver is not immediately available.

Nothing in this section shall prevent any employer from imposing more stringent or additional qualifications, requirements, examinations or certificates than are imposed herein.

Any applicant who has made application for a "Class 1" or "Class 2" license and provides the Secretary of State with satisfactory evidence that an immediate examination is needed for employment purposes shall be examined as provided in this section within 7 days of such notification.

Sec. 3. **Appropriation.** There is appropriated to the office of the Secretary of State, Division of Motor Vehicles, from the General Highway Fund, the sum of \$109,846.04 to carry out this Act. The breakdown shall be as follows:

	1973-74	1974-75
SECRETARY OF STATE		
Division of Motor Vehicles		
Personal Services	(8) \$37,341.16	(8) \$56,707.68
All Other	7,283.58	4,746.00
Capital Expenditures	3,767.62	—
	<u>\$48,392.36</u>	<u>\$61,453.68</u>