

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

FIRST REGULAR SESSION
December 7, 2016 to August 2, 2017

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
NOVEMBER 1, 2017

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2017

may be equipped with a device that provides for alternate flashing of the vehicle's headlights.

See title page for effective date.

CHAPTER 27

S.P. 92 - L.D. 306

An Act To Require State Compliance with Federal REAL ID Guidelines

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

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.~~

Sec. 4. 29-A MRSA §1405, sub-§3, as repealed and replaced by PL 2015, c. 206, §7, is amended to read:

3. Fee. The fee for a duplicate registration certificate is \$2. The fee for a duplicate learner's permit, duplicate license or duplicate nondriver identification card is \$5. The fee for a duplicate license or duplicate

nondriver identification card under section 1260 is \$30.

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

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

A. Except as provided in section 1255, a noncommercial 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 6th birthday following the date of issuance. ~~The fee for the 6-year noncommercial driver's license is \$30~~ following fees apply.

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

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

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~~ following fees apply.

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

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

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

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

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

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

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

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

8. Legal presence requirement. The Secretary of State may not issue a nondriver identification card 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 has continuously held a nondriver identification card or valid driver's license under this chapter since December 31, 1989 or was born before December 1, 1964.~~

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

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

Sec. 8. Secretary of State to issue conforming licenses and identification cards. The Secretary of State shall issue driver's licenses and nondriver identification cards that conform to the federal REAL ID Act of 2005, enacted as part of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005, Public Law 109-13.

Sec. 9. Appropriations and allocations. The following appropriations and allocations are made.

SECRETARY OF STATE, DEPARTMENT OF Administration - Motor Vehicles 0077

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

HIGHWAY FUND	2017-18	2018-19
All Other	\$343,853	\$823,919
Capital Expenditures	\$0	\$27,060
HIGHWAY FUND TOTAL	\$343,853	\$850,979

Sec. 10. Effective date. Those sections of this Act that enact the Maine Revised Statutes, Title 29-A, section 1260 and section 1410, subsection 11 and amend Title 29-A, sections 1301, 1401, 1405, 1406-A and 1410 take effect July 1, 2019.

See title page for effective date, unless otherwise indicated.

CHAPTER 28

S.P. 85 - L.D. 239

An Act To Require National Banks To Cooperate in the Administration of the General Assistance Program

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

Sec. 1. 22 MRSA §4314, sub-§2, as amended by PL 1997, c. 455, §§8 and 32 and PL 2003, c. 689, Pt. B, §§6 and 7, is further amended to read:

2. Financial institutions. ~~A treasurer~~ An officer of any bank, federally or state-chartered credit union, trust company, benefit association, insurance company, safe deposit company or any corporation or association receiving deposits of money, ~~except national banks~~, shall, ~~on~~ upon receipt of a written release signed by a depositor and a written request in writing signed by the overseer of any municipality or its agents, or by the Commissioner of Health and Human Services or the commissioner's agents or by the Commissioner of Defense, Veterans and Emergency Management or the commissioner's agents, ~~inform~~ disclose to that overseer or the Department of Health and Human Services or the Bureau of Maine Veterans' Services ~~of~~ the amount deposited in the corporation or association to the credit of the ~~person~~ named in the request depositor granting the release, who is a charge upon the municipality or the State, or who has applied for support to the municipality or the State. When the named depositor who is a charge upon the municipality is deceased and the municipality or its agents are acting in accordance with section 4313, subsection 2, the officer shall disclose the amount deposited in the corporation or association upon receipt of a written request from the municipality or its agents and a notarized affidavit signed by the overseer of the municipality or its agents stating that the named depositor is deceased.

See title page for effective date.

CHAPTER 29

S.P. 101 - L.D. 313

An Act To Amend the Laws Governing Prior Employees of the Workers' Compensation Board

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