

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTIETH LEGISLATURE

FIRST REGULAR SESSION
December 2, 2020 to March 30, 2021

FIRST SPECIAL SESSION
April 28, 2021 to July 19, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2021

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
OCTOBER 18, 2021

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

Augusta, Maine
2021

B. A person who violates this subsection after having been adjudicated of having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

Sec. 12. 12 MRSA §13161, sub-§1-A is enacted to read:

1-A. Dealer to provide registration information. A dealer may not sell a new or used oversized ATV without providing to the purchaser a written form developed and provided by the department explaining the size and weight restrictions for registering that ATV under section 13155, subsection 5-B and the provisions of section 13157-A regarding the use of oversized ATVs on designated state-approved ATV trails. The department shall develop a form for use by dealers under this section, which must include a place for a purchaser to sign acknowledging receipt of the form. For purposes of this subsection, "oversized ATV" has the same meaning as defined in section 13155, subsection 5-B.

Sec. 13. Oversized ATV education component. The Department of Inland Fisheries and Wildlife shall develop and make available an education component for ATV dealers and owners and ATV registration agents regarding the operation and registration of oversized ATVs, as defined in the Maine Revised Statutes, Title 12, section 13155, subsection 5-B. The education component must provide guidance regarding which ATVs are considered oversized ATVs, when oversized ATVs may be registered and where oversized ATVs may be operated pursuant to Title 12, section 13155, subsection 3.

Sec. 14. Appropriations and allocations. The following appropriations and allocations are made.

AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF

Off-Road Recreational Vehicles Program Z224

Initiative: Provides an ongoing allocation for expenditure of funds to maintain state-approved all-terrain vehicle trails.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$0	\$1,791,817
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$1,791,817

Sec. 15. Effective date. That section of this Act that amends the Maine Revised Statutes, Title 12, section 13155, subsection 5 takes effect May 1, 2022.

See title page for effective date, unless otherwise indicated.

**CHAPTER 216
H.P. 1049 - L.D. 1433**

An Act To Amend the Motor Vehicle Laws

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

Sec. 1. 29-A MRSA §101, sub-§3, ¶E, as amended by PL 2005, c. 314, §2, is further amended to read:

E. Not a reconstructed vehicle; ~~and~~

Sec. 2. 29-A MRSA §101, sub-§3, ¶F, as enacted by PL 2005, c. 314, §3, is amended to read:

F. Not an altered vehicle; ~~and~~

Sec. 3. 29-A MRSA §101, sub-§3, ¶G is enacted to read:

G. Not an off-road vehicle.

Sec. 4. 29-A MRSA §101, sub-§4, ¶C, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

C. Maintained primarily for use in exhibitions, club activities, parades or other functions of public interest; ~~and~~

Sec. 5. 29-A MRSA §101, sub-§4, ¶D, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

D. Not used as its owner's primary mode of transportation of passengers or goods; ~~and~~

Sec. 6. 29-A MRSA §101, sub-§4, ¶E is enacted to read:

E. Not an off-road vehicle.

Sec. 7. 29-A MRSA §101, sub-§19-A, as repealed and replaced by PL 2011, c. 139, §1, is amended to read:

19-A. Custom vehicle. "Custom vehicle" means a motor vehicle manufactured after model year 1948 that:

A. Is at least 25 years old or was manufactured to resemble a motor vehicle that is at least 25 years old; ~~and~~

B. Has been altered or modified from the manufacturer's original design or has a body constructed from nonoriginal material; ~~and~~

C. Is not an off-road vehicle.

Sec. 8. 29-A MRSA §101, sub-§47-A, as enacted by PL 2005, c. 577, §6, is amended to read:

47-A. Off-road vehicle. "Off-road vehicle" means a motor vehicle that, because of the vehicle's de-

sign and configuration, original manufacture or original intended use, does not meet the inspection standards of chapter 15, the Federal Motor Vehicle Safety Standards, the United States Environmental Protection Agency's pollutant requirements or the National Highway Traffic and Safety Administration's crash testing standards and that is not a moped or motorcycle.

Sec. 9. 29-A MRSA §201, sub-§6 is enacted to read:

6. Rules. The Secretary of State may adopt rules to implement the provisions of this section. The rules may include requirements for agent training, accounting standards, inventory control processes and the collection and transmission of data and funds between agents and the bureau. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 10. 29-A MRSA §354, as enacted by PL 2005, c. 577, §8, is amended to read:

§354. Off-road vehicles

Off-road vehicles may not be registered in accordance with this Title. Vehicles owned and operated by government entities are not subject to the provisions of this section.

Sec. 11. 29-A MRSA §453, sub-§2, as amended by PL 2007, c. 647, §1 and affected by §8, is further amended to read:

2. Fee. The annual service administrative fee for a vanity registration plate is \$25 in addition to the regular motor vehicle registration fee. The service administrative fee must be credited to the General Highway Fund, except that, beginning July 1, 2009, \$10 of the service administrative fee must be transferred on a quarterly basis by the Treasurer of State to the TransCap Trust Fund established by Title 30-A, section 6006-G. A sum sufficient to defray the cost of this program must be allocated annually from the General Highway Fund.

Sec. 12. 29-A MRSA §468, sub-§10, ¶B, as amended by PL 2013, c. 66, §1, is further amended to read:

B. The sponsor of the specialty plate under this subsection provides a list of 500 names for each class requested, dated signatures and current plate numbers of supporters who have signed a statement declaring they intend to purchase and display the motorcycle, trailer or commercial vehicle class of specialty license plate; and

Sec. 13. 29-A MRSA §501, sub-§7, ¶H is enacted to read:

H. A temporary registration plate may not be used on a house trailer or mobile home unless the operator of the vehicle possesses the written certificate from the tax collector required by section 1002, subsection 9.

Sec. 14. 29-A MRSA §522, as amended by PL 2009, c. 174, §22, is repealed.

Sec. 15. 29-A MRSA §524, sub-§4, as amended by PL 2011, c. 356, §13, is further amended by amending the 4th blocked paragraph to read:

The Secretary of State shall determine the design of the Purple Heart plate. Upon request and as provided by section 453, the Secretary of State shall issue Purple Heart plates that are also vanity plates. Purple Heart vanity plates are issued in accordance with this section and section 453. The annual service administrative fee for vanity plates required in section 453 is credited to the Highway Fund.

Sec. 16. 29-A MRSA §602, sub-§11, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

11. Recycler. "Recycler" means a person engaged in the business of purchasing or acquiring salvage in any manner vehicles or vehicle parts for the purpose of:

- A. Reselling the vehicle or its component parts as salvage or scrap;
- B. Rebuilding or repairing the vehicle salvage vehicles for the purpose of resale;
- C. Selling or storing the vehicle's parts or basic materials;
- D. Permitting the display or storage of the vehicle or its parts salvage vehicles; or
- E. Acting as a scrap processor; or
- F. Advertising in any form that an individual or business engages in any of the activities in paragraphs A to E.

Sec. 17. 29-A MRSA §664-A, sub-§1, as amended by PL 2009, c. 598, §29, is further amended to read:

1. Vehicle sold by dealer. A vehicle that is sold by a dealer must be accompanied by a properly assigned and valid certificate of title or certificate of salvage at the time of its sale. A dealer may retain and process certificates of title and certificates of salvage at the dealer's primary facility if in the case when the dealer displays a vehicle at an annex facility the dealer maintains a copy of the certificate of title or certificate of salvage at the annex facility. A dealer selling a vehicle to a lessee who elects to purchase the leased vehicle at the end of the lease term is exempt from this provision.

Sec. 18. 29-A MRSA §664-A, sub-§3, as enacted by PL 1997, c. 437, §20, is amended to read:

3. Transfer. When transferring possession of a vehicle held for resale to a retail purchaser or selling a leased vehicle to the lessee, a dealer shall comply with section 654.

Sec. 19. 29-A MRSA §664-A, sub-§5, as amended by PL 2011, c. 556, §6, is further amended to read:

5. Sold at auction. Except for a vehicle sold to a dealer at a vehicle auction licensed under section ~~852 1051~~, a vehicle that is sold at an auction must be accompanied by a valid certificate of title or salvage at the time of its sale. The seller of a vehicle sold to a dealer at a vehicle auction licensed under section ~~852 1051~~ must provide the purchasing dealer with a valid certificate of title or certificate of salvage within 30 days.

Sec. 20. 29-A MRSA §702, sub-§2-A is enacted to read:

2-A. Lienholder registration. A lienholder who secures a lien on 15 or more titles annually is required to register with the Secretary of State for a lienholder identification number in accordance with rules adopted by the Secretary of State.

Sec. 21. 29-A MRSA §752-A, sub-§2, as repealed and replaced by PL 2005, c. 683, Pt. A, §49, is amended to read:

2. Ten Twenty years old. A vehicle, beginning with model year 2011, that is ~~40~~ 20 years old or older.

Sec. 22. 29-A MRSA §852, sub-§2, as amended by PL 2003, c. 434, §11 and affected by §37, is further amended by repealing the first blocked paragraph.

Sec. 23. 29-A MRSA §903, sub-§3, as amended by PL 2009, c. 435, §14, is amended by enacting a new first blocked paragraph to read:

A reduction in the number of plates under this subsection must be based on rules adopted by the Secretary of State. A dealer shall maintain a surety bond adequate to cover the number of sales indicated by that dealer's plates.

Sec. 24. 29-A MRSA §952, sub-§1, ¶D, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

D. A suitable office in which business is conducted and records of the business are kept; and

Sec. 25. 29-A MRSA §952, sub-§1, ¶E, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

E. At least one mechanic, who may be the owner, who has a thorough knowledge of the vehicles being handled; ~~and~~

Sec. 26. 29-A MRSA §952, sub-§1, ¶F, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is repealed.

Sec. 27. 29-A MRSA §952, sub-§1-A is enacted to read:

1-A. Display license. A dealer shall display the dealer's license at the dealer's place of business.

Sec. 28. 29-A MRSA §952, sub-§1-B is enacted to read:

1-B. Vehicles. A dealer shall:

A. On all used motor vehicles offered for sale, ensure that the written vehicle history statement is conspicuously affixed to the vehicle pursuant to Title 10, section 1475; and

B. For all vehicles sold, comply with the provisions of Title 10, chapter 217.

Sec. 29. 29-A MRSA §952, sub-§3, as amended by PL 2001, c. 671, §18, is further amended to read:

3. Penalty. A person who fails to comply with ~~subsection 1, paragraphs A to F or subsection 4 1-A and 1-B~~ commits a traffic infraction.

Sec. 30. 29-A MRSA §952, sub-§4, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is repealed.

Sec. 31. 29-A MRSA §1002, sub-§4, as amended by PL 2005, c. 433, §14 and affected by §28, is further amended to read:

4. Service vehicle. A licensed new or used car dealer may attach to that dealer's service vehicles specially designed service vehicle plates. These plates may be used only in direct connection with the ~~licensee's business~~ new or used car license. A dealer may attach a service vehicle plate only to a vehicle used for the service or repair of vehicles sold or being repaired by the dealer. A dealer may not attach a service vehicle plate to a vehicle that delivers parts to individuals or to businesses that are not owned by the ~~licensee~~ dealer.

A. A dealer is not entitled to more than 3 service vehicle plates at each established place of business.

B. The weight limit for a service vehicle, including the combined weight of vehicle and load, may not exceed 24,000 pounds. This weight limit does not apply to service vehicles of equipment dealers.

C. The fee for a service vehicle plate is \$50 annually per plate.

D. A vehicle to which a service vehicle plate is attached must have the name of the licensed dealership on the sides of the vehicle in letters at least 3 inches in height and clearly visible. The name of any other business may not be displayed on the sides of the vehicle to which the service vehicle plate is attached.

Sec. 32. 29-A MRSA §1101, sub-§1, as repealed and replaced by PL 1997, c. 776, §33, is amended to read:

1. Recycler. "Recycler" means a person engaged in the business of purchasing or acquiring salvage in any manner vehicles or vehicle parts for the purpose of:

- A. Reselling the vehicle ~~or its component parts as salvage or scrap~~;
- B. Rebuilding or repairing ~~the vehicle salvage vehicles~~ for the purpose of resale;
- C. Selling or storing the vehicle's parts or basic materials;
- D. Displaying or storing ~~the vehicle or its parts salvage vehicles~~; ~~or~~
- E. Acting as a scrap processor; ~~or~~
- F. Advertising in any form that an individual or business engages in any of the activities in paragraphs A to E.

A person may not engage in business as a recycler without a recycler license issued under this subchapter.

Sec. 33. 29-A MRSA §1102-A, as enacted by PL 2009, c. 435, §17, is repealed and the following enacted in its place:

§1102-A. Mobile crushers

1. Mobile crushers permitted. A person operating a mobile crusher in this State, whether based in or outside of the State, is subject to the provisions of this subchapter except the provisions of section 1103. The Secretary of State may adopt rules for the permitting of mobile crushers. For purposes of this section, "mobile crusher" means a transportable device that is used to crush motor vehicles.

2. Penalty. Violation of this section is a traffic infraction.

Sec. 34. 29-A MRSA §1108, sub-§1, ¶B, as amended by PL 1995, c. 482, Pt. A, §20, is further amended to read:

- B. Failure to comply with a provision of this subchapter, any lawful rule adopted by the Secretary of State or any provision of Title 17 or Title 17-A or this Title as they relate to being a proper person to be in the business of ~~the sales of~~ acquiring or selling vehicles or parts;

Sec. 35. 29-A MRSA §1110, sub-§1, as amended by PL 2019, c. 397, §16, is further amended to read:

1. Record keeping. A licensee shall maintain business records for 5 years, including ~~a record of~~:

- A. ~~Every~~ A record of every vehicle received or disposed of; its make, model, year, vehicle identification number; the date of its receipt or disposition; and the name and address of the person from whom received or to whom given;

A-1. ~~Every~~ A record of every component part, as defined in section 602, subsection 2, received or disposed of; its part identifying number; the date of its receipt or disposition; and the name and address of the person from whom received or to whom given;

B. ~~Every~~ A record of every vehicle scrapped or dismantled by the licensee, the date of that action and the vehicle's make, model, model year and vehicle identification number; ~~and~~

C. ~~The~~ A record of the seller's name and address from a government-issued photograph identification document or credential. For purposes of this subsection, "government-issued photograph identification document or credential" includes, but is not limited to, a current and valid United States passport, military identification card, driver's license or nondriver identification card; ~~and~~

D. Copies of titles, transfers and other documents used for titling purposes.

A licensed mobile crusher must maintain an operator log for each location. The log must contain the make, model, year and vehicle identification number of each vehicle crushed and the date of that action.

A scrap processor is exempt from the requirements set forth in paragraph A-1 for vehicles received that are already dismantled.

Sec. 36. 29-A MRSA §1256, as amended by PL 2015, c. 473, §§12 and 13, is further amended to read:

§1256. Special restricted license

A person who is 15 years of age and who has successfully completed a driver education course and passed an examination for operation of a motor vehicle as provided in section 1301 may be issued a special restricted license based on educational, employment or medical need ~~without the person's having held a permit for a period of 6 months as required by section 1304, subsection 1, paragraph H, subparagraph (1) as follows.~~

1. Educational need. A person seeking to qualify for a special restricted license based on educational need must file an application. If the applicant qualifies under paragraph A, has held a permit for a period of 6 months and has completed a minimum of 70 hours of driving, including 10 hours of night driving, while accompanied by a parent, guardian or licensed driver at least 20 years of age, a special restricted license must be issued to the applicant.

A. An application must include:

- (1) A signed notarized statement from the applicant and the applicant's parent or guardian that:
 - (a) No readily available alternative means of transportation exists; and

(b) Use of a motor vehicle is necessary for transportation to and from a public secondary school, a private secondary school approved for attendance purposes by the Commissioner of Education or a career and technical education center or region that the applicant is attending;

- (2) A verification of school attendance; and
- (3) A statement by the principal of the school of the lack of a readily available alternative means of transportation.

B. A special restricted license issued pursuant to this subsection only authorizes the holder to operate a motor vehicle between the holder's residence and school unless accompanied by a licensed driver who meets the requirements of section 1304, subsection 1, paragraph E, subparagraphs (1) to (4).

2. Employment need. A person seeking to qualify for a special restricted license based on employment need must file an application. If the applicant qualifies under paragraph A, has held a permit for a period of 6 months and has completed a minimum of 70 hours of driving, including 10 hours of night driving, while accompanied by a parent, guardian or licensed driver at least 20 years of age, a special restricted license must be issued to the applicant.

- A. An application must include:
 - (1) A signed, notarized statement from the applicant and the applicant's parent or guardian that:
 - (a) No readily available alternative means of transportation exists; and
 - (b) Use of a motor vehicle is necessary for transportation to, from or in connection with employment of the applicant; and
 - (2) A verification of employment by the employer.

B. A special restricted license issued pursuant to this subsection only authorizes the holder to operate a motor vehicle between the holder's residence, school and place of employment and other places necessary in direct connection with that employment unless accompanied by a licensed driver who meets the requirements of section 1304, subsection 1, paragraph E, subparagraphs (1) to (4).

2-A. Medical need. A person seeking to qualify for a special restricted license based on medical need must file an application. The Secretary of State may grant a person who is 15 years of age a special restricted license under circumstances of medical necessity that are experienced by the person or a member of the person's immediate family if the Secretary of State deter-

mines the circumstances to be exigent and not inconsistent with the interest of highway safety and if that person has held a permit for a period of 6 months and completed a minimum of 70 hours of driving, including 10 hours of night driving, while accompanied by a parent, guardian or licensed driver at least 20 years of age. The Secretary of State may reduce the required minimum hours of driving under this subsection if the secretary determines a reduction is not inconsistent with the interest of highway safety.

- A. An application must include:
 - (1) A signed, notarized statement from a physician attesting to the existence of circumstances of medical necessity; and
 - (2) A signed, notarized statement from the applicant or the applicant's parent or guardian that:
 - (a) No readily available alternative means of transportation exists; and
 - (b) Use of a motor vehicle is necessary for transportation in connection with circumstances of medical necessity that are experienced by the person or a member of the person's immediate family.

B. A special restricted license issued pursuant to this subsection only authorizes the holder to operate a motor vehicle between the holder's residence and school and locations necessitated by the circumstances of medical necessity unless accompanied by a licensed driver who meets the requirements of section 1304, subsection 1, paragraph E, subparagraphs (1) to (4).

3. Suspension of provisional license. A special restricted license is a provisional license. Notwithstanding chapter 23, subchapter ~~III~~ 3, article 2 and in addition to section 1302, subsection 2, the Secretary of State shall suspend a special restricted license when:

- A. The holder is convicted of or adjudicated to have committed a violation of the license restriction or of a motor vehicle moving violation when holding a special restricted license. A person whose license is suspended pursuant to this paragraph is not entitled to another special restricted license; or
- B. The Secretary of State receives written notice from the holder, parent, guardian, physician, principal or employer that the holder no longer qualifies for a special restricted license.

Sec. 37. 29-A MRS §1304, sub-§2, ¶I is enacted to read:

I. A learner's permit may be issued by the Secretary of State or by the provider of a motorcycle rider education course under section 1352.

Sec. 38. 29-A MRSA §1351, sub-§3, as repealed and replaced by PL 1997, c. 393, Pt. A, §36 and affected by §37, is amended to read:

3. Certificate Completion certificates. A successful course completion certificate may be issued if the course meets the standards adopted by the Secretary of State. A certificate may not be issued to a person who was not at least 15 years of age when beginning the course. The certificate may be used as a temporary learner's permit for the operation of a noncommercial Class C motor vehicle for 60 days from the course completion date displayed on the front of the certificate. The permittee must be in possession of the certificate while operating a motor vehicle and accompanied by a licensed operator who has held a valid driver's license for at least 2 years; is at least 20 years of age; is occupying the seat beside the operator; and is licensed to operate the class of vehicle operated by the permittee.

Sec. 39. 29-A MRSA §1352, sub-§3, as amended by PL 2019, c. 337, §3, is further amended to read:

3. Instructors; instructor license requirements. The Secretary of State shall adopt rules governing the issuance and renewal of instructor licenses. The following provisions apply to the licensing of instructors.

A. A person may not conduct a motorcycle rider education course unless licensed by the Secretary of State as a qualified instructor.

B. The Secretary of State shall:

(1) Conduct, or authorize other qualified persons to conduct, instructor preparation courses; and

(2) Establish reasonable qualification standards and requirements for licensing. The requirements must include a provision to demonstrate proficiency in operating a motorcycle.

D. The Secretary of State may, at any reasonable time, monitor and evaluate an instructor's performance to determine compliance with this section.

E. The instructor shall immediately notify the Secretary of State, in writing, whenever the instructor's mailing address or name changes.

F. An applicant for a license under this subsection shall submit to a Department of Public Safety, State Bureau of Identification background check upon initial and renewal application. The Bureau of Motor Vehicles shall request the background check from the State Bureau of Identification. A fee must be assessed at the time of initial and renewal application pursuant to Title 25, section 1541, subsection 6.

G. The Secretary of State shall use state and federal criminal history record information for the purpose

of screening motorcycle rider education instructors in order to determine whether issuance of a motorcycle rider education instructor license is granted or maintained.

Sec. 40. 29-A MRSA §1352, sub-§5, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

5. Completion certificates. An instructor shall issue a completion certificate to a student who has successfully completed the course. The certificate may be used as a temporary motorcycle permit for the operation of a motorcycle for 60 days from the course completion date displayed on the front of the certificate. The individual must be in possession of the certificate while operating a motorcycle, must wear a helmet and cannot carry passengers while operating a motorcycle. If "passed 3-Wheel BRC" is stamped on the front of the certificate, the individual is restricted to the operation of a 3-wheel motorcycle.

Sec. 41. 29-A MRSA §1352, sub-§6, ¶B, as amended by PL 2017, c. 229, §23, is further amended to read:

B. Road examination on receipt of a certificate demonstrating successful completion of a ~~novice rider~~ motorcycle rider education course approved by the Secretary of State. An endorsement issued pursuant to this paragraph prohibits the holder from carrying a passenger for a period of 60 days following the date of issuance of the endorsement.

Sec. 42. 29-A MRSA §1354, sub-§2, ¶A, as amended by PL 2011, c. 556, §12, is further amended to read:

A. A Class A driver education school license may be issued to a driver education school that employs Class A ~~or Class B~~ instructors and that is authorized to teach both the classroom and behind-the-wheel phases of driver education and behind-the-wheel private lessons to individuals who hold a valid learner's permit, driver's license or temporary driver's license. A driver education school licensed under this paragraph may also employ Class B instructors to provide the behind-the-wheel phase of driver education and behind-the-wheel private lessons. A driver education school licensed under this paragraph may teach both the classroom and behind-the-wheel phases of driver education and behind-the-wheel private lessons.

Sec. 43. 29-A MRSA §1354, sub-§2, ¶D is enacted to read:

D. A Class B driver education school license may be issued to a driver education school that employs a Class A or Class B instructor. A driver education school licensed under this paragraph may provide

only behind-the-wheel private lessons to individuals who hold a valid learner's permit, driver's license or temporary driver's license.

Sec. 44. 29-A MRSA §1354, sub-§4, as amended by PL 2011, c. 556, §14, is further amended to read:

4. Instructor license requirements. With assistance from the Technical Review Panel established in subsection 6, the Secretary of State shall adopt rules governing the issuance and renewal of instructor licenses. In addition to the requirements established by rule, each applicant must meet the following requirements:

- A. The applicant must be at least 21 years of age and have a high school diploma or its equivalent;
- B. The applicant must have at least 4 years of driver experience as a licensed operator and possess a valid driver's license;
- C. The applicant may not have had a license revoked pursuant to chapter 23, subchapter 5 within the preceding 6-year period;
- D. The applicant may not have had an OUI as defined in section 2401, subsection 8 within the preceding 6-year period;
- E. The applicant must pass ~~an examination consisting of a knowledge, vision and road test in the type of vehicle for which the license is to be used~~ as prescribed by the Secretary of State; ~~and~~
- F. The applicant must complete an educational program prescribed by the Secretary of State;
- G. The applicant shall submit to a Department of Public Safety, State Bureau of Identification background check upon initial and renewal application. The Bureau of Motor Vehicles shall request the background check from the State Bureau of Identification. A fee must be assessed at the time of initial and renewal application pursuant to Title 25, section 1541, subsection 6;
- H. The Secretary of State shall use state and federal criminal history record information for the purpose of screening driver education instructors in order to determine whether issuance of a driver education instructor license is granted or maintained; and
- I. The applicant shall submit to having fingerprints taken. The Bureau of Motor Vehicles shall make available an approved list of agencies providing fingerprinting. Upon payment to an approved agency by the applicant and after the approved agency takes or causes to be taken the applicant's fingerprints and forwards the fingerprints to the State Bureau of Identification, the State Bureau of Identification shall conduct state and national crim-

inal history record checks. Fingerprinting is required upon initial application and every 5 years thereafter.

Sec. 45. 29-A MRSA §1909, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

§1909. Registration lamp

A vehicle must have a white light capable of illuminating the rear registration plate so that the characters on the plate are visible for a distance of at least 50 feet. This section does not apply to unregistered farm tractors or vehicles with valid temporary plates issued by licensed car dealers.

Sec. 46. 29-A MRSA §2092, sub-§3 is enacted to read:

3. Government vehicles. Vehicles owned and operated by government entities are not subject to the provisions of this section.

Sec. 47. 29-A MRSA §2472, sub-§2-A, as enacted by PL 2011, c. 654, §11 and affected by §16, is amended to read:

2-A. Driver improvement program. A person whose license is suspended pursuant to subsection 2 shall complete ~~a minimum of 4 hours~~ of a driver improvement program approved by the Secretary of State before the suspension may be terminated.

Sec. 48. 29-A MRSA §2508, sub-§1, as amended by PL 2013, c. 187, §2 and c. 389, §3 and affected by §7, is further amended to read:

1. Installation of ignition interlock device. Notwithstanding the periods of suspension pursuant to section 2411 or 2451, subsection 3, the Secretary of State may reinstate the license of a person convicted of a violation of section 2411, except for a violation of section 2411, subsection 1-A, paragraph D, subparagraph (1-A), or whose license is suspended by the Secretary of State pursuant to section 2453 or 2453-A if the person satisfies all other conditions for license reinstatement and installs an ignition interlock device approved by the Secretary of State in the motor vehicle the person operates, under the following conditions.

A. The license of a person with 2 OUI offenses may be reinstated after 9 months of the suspension period has ~~run~~ been served if the person has installed ~~for a period of 2 years~~ an ignition interlock device approved by the Secretary of State in the motor vehicle the person operates for the length of suspension time remaining.

A-1. The license of a person with one OUI offense may be reinstated after 30 days of the suspension period has ~~run~~ been served if the person has installed ~~for a period of 150 days or the length of time remaining for a suspension imposed pursuant to~~

section 2411, subsection 5, paragraph A, subparagraph (2), whichever is shorter, for the length of time remaining for the suspension an ignition interlock device approved by the Secretary of State in the motor vehicle the person operates.

B. The license of a person with 3 OUI offenses may be reinstated after 3 years of the suspension period has ~~run been served~~ if the person has installed ~~for a period of 3 years~~ for the length of time remaining for the suspension an ignition interlock device approved by the Secretary of State in the motor vehicle the person operates.

C. The license of a person with 4 or more OUI offenses may be reinstated after 4 years of the suspension period has ~~run been served~~ if the person has installed ~~for a period of 4 years~~ for the length of time remaining for the suspension an ignition interlock device approved by the Secretary of State in the motor vehicle the person operates.

D. The license of a person convicted of a violation of section 2411, subsection 1-A, paragraph D, subparagraph (1) or a person whose driver's license is suspended by the Secretary of State pursuant to section 2453 or 2453-A for a period specified by section 2411, subsection 5, paragraph D-1 may be reinstated after 3 years of the suspension period has ~~run been served~~ if the person has installed ~~for a period of 3 years~~ for the length of time remaining for the suspension an ignition interlock device approved by the Secretary of State in the motor vehicle the person operates.

A person whose license is reinstated pursuant to this subsection shall pay an administrative fee of \$50 to the Secretary of State, in addition to the fee required by section 2486, subsection 1-A.

See title page for effective date.

CHAPTER 217

H.P. 1099 - L.D. 1485

An Act to Modify the Requirements for Political Action Committees and Ballot Question Committees

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

Sec. 1. 21-A MRSA §1, sub-§3-A, as enacted by PL 2019, c. 563, §1, is amended to read:

3-A. Ballot question committee. "Ballot question committee" means a person required to register as a ballot question committee under section 1056-B has the same meaning as in section 1052, subsection 2-A.

Sec. 2. 21-A MRSA §1, sub-§29-A, as enacted by PL 2019, c. 563, §2, is amended to read:

29-A. Political action committee. "Political action committee" means a person required to register as a political action committee under section 1052-A has the same meaning as in section 1052, subsection 5.

Sec. 3. 21-A MRSA §1052, as amended by PL 2019, c. 563, §3, is further amended to read:

§1052. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Campaign. "Campaign" means any course of activities to influence the nomination or election of a candidate or to initiate or influence any of the following ballot measures:

- A. A people's veto referendum under the Constitution of Maine, Article IV, Part Third, Section 17;
- B. A direct initiative of legislation under the Constitution of Maine, Article IV, Part Third, Section 18;
- C. An amendment to the Constitution of Maine under Article X, Section 4;
- D. A referendum vote on a measure enacted by the Legislature and expressly conditioned upon ratification by a referendum vote under the Constitution of Maine, Article IV, Part Third, Section 19;
- E. The ratification of the issue of bonds by the State or any agency thereof; and
- F. Any county or municipal referendum.

2. Committee. "Committee" means any political action committee, as defined in this subchapter, or any ballot question committee required to be registered under section 1056-B or ballot question committee and includes any agent of a political action committee or ballot question committee.

2-A. Ballot question committee. "Ballot question committee" means a person that receives contributions or makes expenditures aggregating in excess of \$5,000 for the purpose of initiating or influencing a campaign, other than a campaign for the nomination or election of a candidate. The term "ballot question committee" does not include a political action committee or an exempt donor.

3. Contribution. "Contribution" includes:

- A. A gift, subscription, loan, advance or deposit of money or anything of value made to or received by a political action committee, except that a loan of money by a financial institution made in accordance with applicable banking laws and regulations