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Legislative Document

No. 134

S.P. 53

In Senate, January 17, 2017

An Act To Allow the Secretary of State To Issue Licenses Pending Receipt of Necessary Paperwork from the Driver Education and Evaluation Program

(AFTER DEADLINE)

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Transportation suggested and ordered printed.

Heath & Print

HEATHER J.R. PRIEST Secretary of the Senate

Presented by Senator MAKER of Washington.

- 1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not 2 become effective until 90 days after adjournment unless enacted as emergencies; and
- 3 **Whereas,** Maine is a rural state where the possession of a valid driver's license is 4 necessary for residents to work, go to school and perform other activities of daily life; and
- 5 **Whereas,** first-time offenders under various motor vehicle driving laws who have 6 had their licenses suspended may receive a driver's licenses from the Secretary of State 7 after completing certain elements of the driver education and evaluation program 8 conducted by the Department of Health and Human Services; and
- Whereas, bureaucratic processes often delay the transmission of official notice of
 completion of certain elements of the driver education and evaluation program from the
 Department of Health and Human Services to the Secretary of State; and
- Whereas, participants who suffer delays in transmission of official notice of completion of the driver education and evaluation program after fulfilling all requirements necessary to receive a driver's license from the Secretary of State experience hardship due to the delay in receiving the driver's license through no fault of their own; and
- Whereas, in the judgment of the Legislature, these facts create an emergency within
 the meaning of the Constitution of Maine and require the following legislation as
 immediately necessary for the preservation of the public peace, health and safety; now,
 therefore,
- 21 Be it enacted by the People of the State of Maine as follows:
- 22 Sec. 1. 29-A MRSA §2505-A is enacted to read:

23 §2505-A. Documentation of program completion

In conjunction with license restoration for a first-time offender whose license was
 suspended under section 2411, 2453, 2453-A, 2472 or 2521 or under Title 15, section
 3314, the Secretary of State may issue a license pending receipt of official notice that the
 person has completed all the required components of the alcohol and other drug program
 pursuant to Title 5, section 20073-B if the person provides documentation that the person
 has completed all the requirements of the program.

- 30 <u>This section is repealed December 31, 2017.</u>
- Emergency clause. In view of the emergency cited in the preamble, this
 legislation takes effect when approved.
- 33 SUMMARY
- This bill allows a person who has completed the Department of Health and Human Services driver education and evaluation program to receive a driver's license upon providing documentation of completion of the program before official notice of

- completion is received by the Secretary of State directly from the Department of Health and Human Services. This provision automatically repeals itself December 31, 2017. 1
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