§1251. License required

1. Violation. Except as provided in section 510, subsection 1, a person commits an offense of operating a motor vehicle without a license if that person operates a motor vehicle on a public way or parking area:

A. Without being licensed. Violation of this paragraph is a Class E crime, which is a strict liability crime as defined in Title 17-A, section 34, subsection 4-A; [PL 2003, c. 452, Pt. Q, §17 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

B. In violation of a condition or restriction on the license. Violation of this paragraph is a Class E crime, which is a strict liability crime as defined in Title 17-A, section 34, subsection 4-A; [PL 2003, c. 452, Pt. Q, §17 (NEW); PL 2003, c. 452, Pt. X, §2 (AFF).]

C. Without a license issued by this State if a resident of this State for more than 30 days but fewer than 90 days. Violation of this paragraph is a traffic infraction; [PL 2005, c. 314, §5 (AMD).]

D. Without a license issued by this State if a resident of this State for more than 90 days. Violation of this paragraph is a Class E crime, which is a strict liability crime as defined in Title 17-A, section 34, subsection 4-A; or [PL 2005, c. 314, §5 (AMD).]

E. Unless a permit is issued pursuant to subsection 7, with a license issued by this State that expired within the previous 90 days. Violation of this paragraph is a traffic infraction. [PL 2013, c. 24, §1 (AMD).]

[PL 2013, c. 24, §1 (AMD).]

1-A. Residents required to obtain license. Within 30 days of becoming a resident of this State, a person shall apply to obtain a license in accordance with section 1301. Except as provided in section 510, subsection 1, a person who fails to comply with the requirement of this subsection and operates a motor vehicle on a public way or parking area commits a traffic infraction. If the person has been a resident for at least 90 days the penalty is a fine of not less than $150 and not more than $500.

A. [PL 2025, c. 165, §1 (RP).]

B. [PL 2025, c. 165, §1 (RP).]

[PL 2025, c. 165, §1 (AMD).]

2. Penalty.

[PL 2003, c. 452, Pt. Q, §18 (RP); PL 2003, c. 452, Pt. X, §2 (AFF).]

3. Issue restrictions. A person may not receive a license unless:

A. That person surrenders all valid licenses in that person's possession issued by any jurisdiction; and [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. The Secretary of State is satisfied that the applicant is a proper person to receive a license. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

4. Number limited. A person may not have more than one valid license, unless authorized by the Secretary of State. A person may not have more than one commercial license.

[RR 1993, c. 2, §19 (COR).]

5. Age limit. A license, except a special restricted license under section 1256, may not be issued to a person who has not attained 16 years of age.

[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

6. Exemptions. The following people are exempt from the license requirements of this chapter:

A. A nonresident who is 16 years of age or older and who has in that person's possession a valid license or learner's permit issued by that person's state or province. A nonresident operator shall

adhere to all restrictions applied to the license or learner's permit issued by that person's state or province. A nonresident who is not yet 16 years of age may not operate a motor vehicle; [PL 2013, c. 381, Pt. B, §10 (AMD).]

B. A person on active duty in the United States Armed Forces, if that person possesses:

(1) A valid license issued by that person's state of domicile; or

(2) For a period of 45 days after return from duty outside the United States, a valid license issued by the United States Armed Forces in foreign countries; [PL 1995, c. 482, Pt. B, §17 (AMD).]

C. A spouse of a member of the United States Armed Forces while accompanying that member on active duty assignment to this State, and who is not a resident of this State and who has a valid license issued by another jurisdiction; and [PL 1995, c. 482, Pt. B, §17 (AMD).]

D. A person operating a motor vehicle in a parking area under the supervision of an instructor during career and technical education as defined by Title 20-A, section 8301-A, subsection 2-A. [RR 2003, c. 2, §92 (COR).]

[PL 2013, c. 381, Pt. B, §10 (AMD).]

7. Temporary permit to operate a motor vehicle with an expired license. Upon stopping an operator of a motor vehicle who is in violation of subsection 1, paragraph E, a law enforcement officer may issue a permit to the operator of the motor vehicle to operate the motor vehicle to the operator's residence or to an office of the bureau for the sole purpose of renewing the operator's license.
[PL 2013, c. 24, §2 (NEW).]

SECTION HISTORY

RR 1993, c. 2, §19 (COR). PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 65, §A99 (AMD). PL 1995, c. 65, §§A153,C15 (AFF). PL 1995, c. 482, §§B17,18 (AMD). PL 1995, c. 584, §§B5,6 (AMD). PL 1999, c. 771, §C9 (AMD). PL 1999, c. 771, §§D1,2 (AFF). PL 2001, c. 687, §§13,14 (AMD). RR 2003, c. 2, §92 (COR). PL 2003, c. 452, §§Q17,18 (AMD). PL 2003, c. 452, §X2 (AFF). PL 2005, c. 314, §§5,6 (AMD). PL 2013, c. 24, §§1, 2 (AMD). PL 2013, c. 381, Pt. B, §10 (AMD). PL 2025, c. 165, §1 (AMD).

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