CHAPTER 3

SECRETARY OF STATE

SUBCHAPTER 1

ADMINISTRATION

§151. Duties of Secretary of State

The Secretary of State shall: [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

1. Forms; certificates; notices. Except as otherwise prescribed in this Title, prescribe and provide suitable forms of applications, certificates of title, notices of security interests and all other notices and forms necessary to carry out the provisions of this Title;
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

2. Maintain offices. Maintain offices at convenient places to carry out duties related to applications for registration of and licenses for the operation of motor vehicles; and
[PL 2005, c. 573, §1 (AMD).]

3. Publish abstract of laws. Publish an abstract of statutes pertaining to vehicles and rules made by the Secretary of State and the Department of Transportation pertaining to this Title, together with other information related to public safety and regulation of traffic.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 2005, c. 573, §1 (AMD).

§152. Powers of Secretary of State

The Secretary of State may: [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

1. Investigation for information. Make necessary investigations for information required to carry out the provisions of this Title, including, but not limited to, review of records and investigations in the field;
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

2. Deputize agents, examiners and detectives. Appoint and deputize agents, examiners and motor vehicle detectives, stationed at convenient places, to receive applications for registration and licenses for the operation of vehicles, to conduct examinations and to perform assigned duties.

A motor vehicle detective has the powers and duty to enforce all provisions of this Title and Title 17-A and all the laws of the State with the same powers that a sheriff has in a county. A motor vehicle detective is at all times subject to all other investigatory duties assigned by the Secretary of State.
[PL 2017, c. 229, §8 (AMD).]

3. Central computer system. Notwithstanding any other provisions of law, purchase and maintain a central computer system for purposes of administering this Title and conducting departmental operations. All other uses must be approved by the Secretary of State. The Secretary of State shall adopt rules regarding the maintenance and use of data processing information files required to be kept confidential and shall distinguish those files from files available to the public;
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

4. Facsimile signature of Secretary of State. Use a facsimile signature, which has the same validity as the Secretary of State's written signature and is admissible in court;
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

5. Assign new identification number. Assign a new identification number to a vehicle if it has none, or if the vehicle's identification number is destroyed or obliterated, or if the frame, chassis or, if the vehicle is a truck, the cab is changed, or if the vehicle is a reconstructed motorcycle, and shall issue a new certificate of title showing the new identification number upon surrender of the old certificate and completion of an application for title and payment of the fee;
[PL 2023, c. 257, §1 (AMD).]

6. Other data. Require data necessary on forms, applications, certificates, licenses or other documents; and
[PL 2023, c. 257, §2 (AMD).]

7. Waive penalty or fee. Waive a penalty or fee required under this Title if the Secretary of State or the secretary's designee determines that the circumstances justify a waiver. The Secretary of State shall adopt rules to administer this subsection that must include but are not limited to rules identifying circumstances that may justify a waiver. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.
[PL 2023, c. 257, §3 (NEW).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1997, c. 776, §§4,5 (AMD). PL 2001, c. 361, §4 (AMD). PL 2007, c. 12, §1 (AMD). PL 2017, c. 229, §8 (AMD). PL 2023, c. 257, §§1-3 (AMD).

§153. Rules

The Secretary of State may adopt, amend or repeal rules necessary to administer this Title, as provided in the Maine Administrative Procedure Act. Unless defined otherwise, rules adopted pursuant to this Title are routine technical rules as defined in Title 5, chapter 375, subchapter II-A. [PL 1997, c. 437, §5 (AMD).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1997, c. 437, §5 (AMD).

§154. Collection of fees; report

1. Collection of fees. The Secretary of State shall collect all fees required for registering vehicles and licensing operators and all permit fees and transmit these fees to the Treasurer of State.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

2. Report. The Secretary of State, as required by the Governor, shall make a report of the fees received for vehicle registrations and issuances of licenses and from other sources, with appropriate recommendations.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

3. Collection costs. Whenever the payment of a fee results in a protest or is returned by the bank upon which it was drawn because of insufficient funds, closed account, no account or a similar reason, the Secretary of State shall charge a service collection fee of $2 plus the cost of collection.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

4. Recovery of fees or use taxes. Whenever the payment of a fee or use tax required to be collected by the Secretary of State results in a protest or is returned by the bank upon which it was drawn because of insufficient funds, closed account, no account or a similar reason, the Secretary of State may mail a notice of dishonor, as defined in Title 11, section 3-1503, to the person liable, demanding payment and

warning the person that if the amount due is not paid within 10 days after the mailing of the notice, suspension of the person's license and registration will result. If the person fails to pay the required amount within 10 days after the mailing of the notice, the Secretary of State may suspend all licenses, permits, certificates and registrations of the person liable for the fee, fees or tax.
[PL 1995, c. 65, Pt. A, §153 (AFF); PL 1995, c. 65, Pt. C, §1 (AMD); PL 1995, c. 65, Pt. C, §15 (AFF).]

5. Recovery of tax on vehicles. Upon receipt of notification of the State Tax Assessor under Title 36, sections 1955-A or 1955-B, the Secretary of State shall mail a notice to the person liable for the tax, warning that if the amount of tax due is not paid within 10 days after the mailing of the notice, suspension of the registration issued for the vehicle in question will result. If the person fails to pay the required amount within 10 days after the mailing of the notice, the Secretary of State shall suspend the registration issued for the vehicle on which the tax remains unpaid.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

6. Recovery of turnpike tolls. Upon receipt of notice from the Maine Turnpike Authority in accordance with Title 23, section 1980, subsection 2-A, paragraph G, the Secretary of State shall suspend the registration certificate and plates issued for the vehicle in question. If the motor vehicle is registered in another jurisdiction, the Secretary of State shall suspend the owner's right to operate the motor vehicle in this State in accordance with section 2461. The Secretary of State shall mail a notice of suspension to the registered owner at the last name and address on record with the Secretary of State, which may include an address obtained by reasonable means under Title 23, section 1980, subsection 2-A, paragraph C. The suspension takes effect on the date specified in the notice, which may not be less than 10 days after the mailing of the notification. The Secretary of State may not reinstate the registration certificate and plates or restore the owner's right to operate the motor vehicle in the State until the Maine Turnpike Authority notifies the Secretary of State that the toll and applicable fees and penalties have been paid. Notwithstanding any other provision of law, Title 5, section 9052, subsection 1 does not apply to a notice of suspension issued pursuant to this subsection.
[PL 2015, c. 159, §3 (AMD).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 65, §§A84,C1 (AMD). PL 1995, c. 65, §§A153,C15 (AFF). PL 2003, c. 591, §4 (AMD). PL 2015, c. 159, §3 (AMD).

§154-A. Suspension for failure to pay required fees or taxes

When a fee or use tax required to be collected by the Secretary of State is not paid when due, the Secretary of State may notify the person liable for the fee or tax in writing that, if the amount due is not paid within 10 days after the mailing of the notice, suspension of the person's license and registration will result. If the person fails to pay the required amount within 10 days after the mailing of the notice, the Secretary of State may suspend all licenses, permits, certificates and registrations of the person liable for the fee or tax. [PL 2001, c. 671, §1 (NEW).]

SECTION HISTORY

PL 2001, c. 671, §1 (NEW).

§155. Reciprocal taxes or fees

(REPEALED)

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 65, §§A153,C15 (AFF). PL 1995, c. 65, §B1 (RP).

§156. Reciprocal agreements with New Hampshire

Notwithstanding any law to the contrary, the Secretary of State may make agreements with the duly authorized representatives of the State of New Hampshire to provide that buses, taxicabs, trucks, truck tractors, trailers, semitrailers or double-bottoms owned by residents of that state and legally registered in that state may be operated in this State, including for purposes of intrastate commerce, within a zone not to exceed 10 miles from the border with that state. The agreements must provide that a resident of this State, when using the public ways of that adjoining state, is entitled to receive substantially equivalent benefits and privileges. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF).

§157. Reciprocal and apportioned registrations; International Registration Plan

Notwithstanding this Title, the Secretary of State, in concurrence with the Commissioner of Transportation, may enter into reciprocal agreements or plans with another jurisdiction providing for the registration of vehicles on an apportionment or allocation basis. In the exercise of this authority, the Secretary of State may enter into and become a member of the International Registration Plan. Registration of vehicles under the plan must be in accordance with chapter 5, subchapter I, article 5. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF).

§158. Asset forfeiture

Funds or assets forfeited pursuant to Title 15, chapter 517 may be awarded to the bureau. Funds or assets received in accordance with this section must be used for law enforcement training or for law enforcement equipment. [PL 1995, c. 65, Pt. A, §153 (AFF); PL 1995, c. 65, Pt. B, §2 (NEW); PL 1995, c. 65, Pt. C, §15 (AFF).]

SECTION HISTORY

PL 1995, c. 65, §§A153,C15 (AFF). PL 1995, c. 65, §B2 (NEW).

§159. Motor Vehicle Services Fund

1. Fund created. The Motor Vehicle Services Fund, referred to in this section as "the fund," is established as a nonlapsing fund in the bureau.
[PL 2021, c. 660, §2 (NEW).]

2. Use of funds. Money deposited into the fund may be used by the bureau for motor vehicle-related projects and services.
[PL 2021, c. 660, §2 (NEW).]

3. Source of funds. Money deposited in the fund includes, but is not limited to, revenue transferred into the fund pursuant to the sale of catalytic converters forfeited to the State under section 1113, subsection 15. The fund may accept funds from other sources.
[PL 2021, c. 660, §2 (NEW).]

SECTION HISTORY

PL 2021, c. 660, §2 (NEW).

§160. Mobile motor vehicle services

The Secretary of State shall establish and operate a program to provide mobile services. [PL 2023, c. 418, §1 (NEW).]

1. Populations served. The program under this section must provide mobile services:

A. In rural areas where members of the public are required to travel an inconvenient distance to reach offices that can provide services under this section; and [PL 2023, c. 418, §1 (NEW).]

B. To individuals who are unhoused, immigrants or refugees. [PL 2023, c. 418, §1 (NEW).]
[PL 2023, c. 418, §1 (NEW).]

2. Services. The services under this section must include, to the maximum extent feasible:

A. Vehicle registration pursuant to chapter 5, subchapter 1; and [PL 2023, c. 418, §1 (NEW).]

B. Renewal or replacement of a driver's license or nondriver identification card under chapter 11. [PL 2023, c. 418, §1 (NEW).]
[PL 2023, c. 418, §1 (NEW).]

REVISOR'S NOTE: §160. Motor vehicle services (As enacted by PL 2023, c. 419, §1 is REALLOCATED TO TITLE 29-A, SECTION 161)

SECTION HISTORY

PL 2023, c. 418, §1 (NEW).

§161. Motor vehicle services

(REALLOCATED FROM TITLE 29-A, SECTION 160)

The Secretary of State shall establish and operate 8 self-service kiosks that provide, to the maximum extent feasible, at least the following services: [PL 2023, c. 419, §1 (NEW); RR 2023, c. 1, §25 (RAL).]

1. Vehicle registration. Vehicle registration renewal pursuant to chapter 5, subchapter 1; and
[PL 2023, c. 419, §1 (NEW); RR 2023, c. 1, §25 (RAL).]

2. Licenses or identification cards. Renewal or replacement for a driver's license or nondriver identification card under chapter 11.
[PL 2023, c. 419, §1 (NEW); RR 2023, c. 1, §25 (RAL).]

The Secretary of State may adopt rules to administer this section. Rules adopted under this paragraph must include, but are not limited to, rules governing the transaction fees charged by the kiosk vendor. Rules adopted under this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. [PL 2025, c. 119, §1 (NEW).]

SECTION HISTORY

PL 2023, c. 419, §1 (NEW). RR 2023, c. 1, §25 (RAL). PL 2025, c. 119, §1 (AMD).

SUBCHAPTER 2

MUNICIPAL AGENTS, RENEWAL AGENTS AND REGISTRATION AGENTS

§201. Municipal officials as agents

1. Appointment of agents by Secretary of State; scope of authority. With the approval of the municipal officers, the Secretary of State may appoint a municipal tax collector, or other persons designated by a municipality, to collect excise taxes on vehicles and to receive applications for new registrations and renewals of registrations of motor vehicles, trailers and semitrailers. The Secretary of State may authorize a municipal agent to issue new registrations and renewals of registrations or may limit the agent's authority to the issuance of renewals only.
[PL 2023, c. 271, §1 (AMD).]

2. Issuance of registrations or renewals. An agent appointed in accordance with subsection 1 may:

A. Issue renewals of registration for school buses operated by school administrative units or private contractors; [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. Issue registration renewals for all motor vehicles and trailers, except for those required to be registered directly through the Bureau of Motor Vehicles as designated by the Secretary of State; and [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

C. If authorized to issue registrations and renewals of registrations, issue:

(1) Registrations for pickup trucks registered for 10,000 pounds or less gross vehicular weight, automobiles, trailers, semitrailers and farm tractors; and

(2) Registrations for trucks of greater gross weight than provided in subparagraph (1), after the agent has satisfactorily participated in special training as prescribed by the Secretary of State. [PL 2015, c. 473, §3 (AMD).]

[PL 2015, c. 473, §3 (AMD).]

3. Service fees. Municipal agents appointed in accordance with subsection 1 may charge service fees for registrations and renewals of registrations as follows.

A. A municipal agent may charge an applicant a fee not to exceed $5 over the required fee for each renewal of a registration issued and a fee not to exceed $6 over the required fee for each new registration issued. [PL 2023, c. 271, §2 (AMD).]

B. In a municipality in which agents are authorized to issue registrations for applicants from another municipality or from an unorganized territory, the agent may charge those applicants $1 in addition to the fees authorized by this subsection for each registration or renewal. [PL 2023, c. 271, §2 (AMD).]

C. A municipal agent authorized to issue temporary registration permits may charge an applicant a fee not to exceed $1 over the required permit fee. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

D. A municipal agent authorized to process permits and decals for vehicles with gross vehicle weight in excess of 6,000 pounds may charge a fee not to exceed $1 over the required fee for each permit or decal issued. [PL 2017, c. 475, Pt. A, §46 (AMD).]

E. A municipal agent may charge a fee not to exceed $1 over the required fee for the issuance of a duplicate registration. [PL 2023, c. 271, §2 (AMD).]

F. [PL 2017, c. 229, §10 (RP).]

G. A municipal agent may charge an applicant a fee not to exceed $2 over the required fee when an applicant is requesting issuance of a set of plates designated as specialty license plates by the Secretary of State to replace previously issued plates. [PL 2023, c. 271, §2 (AMD).]

H. The Secretary of State may authorize municipal agents to charge a fee not to exceed $1 over the required fee for other transactions that the municipal agent carries out on behalf of the Secretary of State and that are not listed in this subsection. [PL 2005, c. 573, §2 (NEW).]

The municipality may retain all service fees authorized in this subsection.
[PL 2023, c. 271, §2 (AMD).]

4. Training. The Secretary of State shall provide necessary training for municipal agents. A municipal agent may not be appointed for specific duties unless the agent has successfully completed the appropriate training program.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

5. Duration of appointment; revocation of appointment. Unless revoked, the appointment of an agent continues as long as the agent holds that office or employment. An appointment may be revoked:

A. If the municipal officers that approved the appointment request that it be revoked; or [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. For cause by the Secretary of State. [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).]

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. [PL 2021, c. 216, §9 (NEW).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 482, §B1 (AMD). PL 1997, c. 776, §6 (AMD). PL 2005, c. 573, §2 (AMD). PL 2015, c. 473, §3 (AMD). PL 2017, c. 229, §§9, 10 (AMD). PL 2017, c. 475, Pt. A, §46 (AMD). PL 2019, c. 255, §1 (AMD). PL 2021, c. 216, §9 (AMD). PL 2023, c. 271, §§1, 2 (AMD).

§202. Appointment of agents for the issuance of noncommercial driver's license renewals, duplicates of noncommercial driver's license renewals and nondriver identification card renewals

The Secretary of State may appoint agents authorized to issue noncommercial driver's license renewals, duplicates of noncommercial driver's license renewals and nondriver identification card renewals who are stationed at convenient locations in the State. Agents may charge an applicant a fee over the required fees for each renewal or duplicate issued. The agent retains the additional fee and forwards all other fees to the Secretary of State. The Secretary of State shall determine by rule the fee to be charged by an agent under this section. Rules adopted pursuant to this section are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A. [PL 2011, c. 556, §2 (AMD).]

Agents appointed pursuant to this section are not authorized to issue registrations, initial noncommercial driver's licenses or initial nondriver identification cards. [PL 2011, c. 556, §2 (AMD).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 2001, c. 671, §2 (AMD). PL 2011, c. 556, §2 (AMD).

§203. Disposal of fees; certain towns

(REPEALED)

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 2011, c. 392, Pt. I, §1 (RP).

§203-A. Shipping highway construction and maintenance materials to Isle au Haut; costs paid from Highway Fund

The costs of transporting highway construction and maintenance materials to Isle au Haut by boat must be paid from the Highway Fund in the amount of $50,000 in fiscal year 1999-00 and $10,000 in each fiscal year thereafter. [PL 1999, c. 524, §1 (NEW).]

SECTION HISTORY

PL 1999, c. 524, §1 (NEW).

§204. Registration agents

1. Appointment; scope of authority. The Secretary of State may appoint registration agents to issue original registrations, to renew registrations and to transfer registrations from one vehicle to another. The Secretary of State may limit the agent's authority to the issuance of renewals or to the issuance of renewals and transfers only. A registration agent may issue, renew or transfer a registration only when one of the following conditions is met:

A. The registration does not require payment of excise tax; or [PL 1995, c. 645, Pt. B, §5 (NEW); PL 1995, c. 645, Pt. B, §24 (AFF).]

B. Excise tax has been paid in accordance with Title 36, chapter 111. [PL 1995, c. 645, Pt. B, §5 (NEW); PL 1995, c. 645, Pt. B, §24 (AFF).]

[PL 1995, c. 645, Pt. B, §5 (NEW); PL 1995, c. 645, Pt. B, §24 (AFF).]

2. Training. The Secretary of State shall provide necessary training for registration agents. A registration agent appointed pursuant to this section shall complete a training program or programs required by the Secretary of State.

[PL 1995, c. 645, Pt. B, §5 (NEW); PL 1995, c. 645, Pt. B, §24 (AFF).]

3. Duration of appointment. An appointment for a registration agent remains in effect until revoked by the Secretary of State or voluntarily surrendered. An appointment may be revoked by the Secretary of State for cause.

[PL 1995, c. 645, Pt. B, §5 (NEW); PL 1995, c. 645, Pt. B, §24 (AFF).]

4. Rules. The Secretary of State may adopt rules to implement the provisions of this section. The rules may include limits on agent fees, requirements for training of registration agents, accounting standards and inventory control processes and requirements for the electronic collection and transmission of data and funds between registrants, registration agents and the bureau. By rule, the Secretary of State may also designate specific registration requirements that can not be met by filing electronically with an agent. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.

[PL 1999, c. 680, §1 (AMD).]

SECTION HISTORY

PL 1995, c. 645, §B5 (NEW). PL 1995, c. 645, §B24 (AFF). PL 1999, c. 680, §1 (AMD).

SUBCHAPTER 3

RECORDS

§251. Records and databases related to driver's licenses and motor vehicles

1. Records required to be kept. The Secretary of State shall keep a record of applications for driver's licenses, motor vehicle registrations and certificates of title and of issued driver's licenses, learner's permits, motor vehicle registrations and certificates of title.

[PL 2013, c. 381, Pt. B, §9 (AMD).]

2. Public access to records. Records of the Secretary of State pertaining to the applications, registrations and certifications of vehicles and to driver's licenses must be open to public inspection during office hours. The Secretary of State shall provide a copy of a record pertaining to the applications, registrations and certifications of vehicles or to driver's licenses for a fee of $5 each.

[PL 2003, c. 434, §4 (AMD); PL 2003, c. 434, §37 (AFF).]

2-A. Databases. The Secretary of State may provide databases of records pertaining to applications, registrations and certifications of vehicles and to driver's licenses to individuals, businesses and other entities as allowed by section 256 and all other applicable laws. The Secretary of State shall adopt rules to establish a fee schedule and governing procedures.
[PL 2023, c. 257, §4 (AMD).]

3. Complaints confidential. Written complaints and certain control numbers used in the titling of motor vehicles may be kept confidential.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

4. Confidentiality of e-mail addresses. If a person submits an e-mail address as part of the application process for a license or registration under this Title, the e-mail address is confidential and may not be disclosed to anyone outside the Department of the Secretary of State except for law enforcement officers or for purposes of court proceedings.
[PL 2013, c. 283, §1 (NEW).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 2003, c. 434, §4 (AMD). PL 2003, c. 434, §37 (AFF). PL 2013, c. 283, §1 (AMD). PL 2013, c. 381, Pt. B, §9 (AMD). PL 2023, c. 257, §4 (AMD).

§252. Driver history records and databases

1. Reports furnished. The Secretary of State shall provide a copy of a record pertaining to convictions, adjudications, accidents, suspensions and revocations of a driver's license for a fee of $5 each for a driving record covering 3 years and $10 each for a driving record covering more than 3 years. Certified copies are an additional $1. A person receiving a report by electronic transmittal shall pay the fee associated with that transmittal. The Secretary of State shall adopt rules to establish a fee schedule and procedures governing electronic transmittal of a record.
[PL 2005, c. 433, §4 (AMD); PL 2005, c. 433, §28 (AFF).]

1-A. Databases. The Secretary of State may provide databases of records pertaining to convictions, adjudications, accidents, suspensions and revocations to individuals, businesses and other entities. The Secretary of State shall adopt rules to establish a fee schedule and governing procedures under this subsection.
[PL 2003, c. 434, §5 (NEW); PL 2003, c. 434, §37 (AFF).]

2. Fee waived for official requests. There is no fee for requests from other motor vehicle departments, state, county and federal agencies and law enforcement agencies.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1995, c. 65, §A85 (AMD). PL 1995, c. 65, §§A153,C15 (AFF). PL 1995, c. 482, §A2 (AMD). PL 1995, c. 625, §A31 (AMD). PL 2003, c. 434, §5 (AMD). PL 2003, c. 434, §37 (AFF). PL 2005, c. 433, §4 (AMD). PL 2005, c. 433, §28 (AFF).

§253. Confidentiality of nongovernment vehicle records

Upon receiving a written request by an appropriate criminal justice official and showing cause that it is in the best interest of public safety, the Secretary of State may determine that records of a nongovernment vehicle are confidential for a specific period of time, which may not exceed the expiration of the current registration. [PL 2025, c. 659, §3 (AMD).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 2025, c. 659, §3 (AMD).

§254. Rented vehicles; records

1. Owner of vehicle to keep record. A person engaged in the business of renting motor vehicles with or without a driver, other than as a transaction involving the sale of the vehicle, shall maintain a record of the identity of the person to whom the vehicle is rented, including a record of the driver's license of the person to whom the vehicle is rented and the exact time the vehicle is subject to that rental or in the person's possession. A person who violates this subsection commits a Class E crime. Violation of this subsection is a strict liability crime as defined in Title 17-A, section 34, subsection 4-A.
[PL 2003, c. 452, Pt. Q, §1 (AMD); PL 2003, c. 452, Pt. X, §2 (AFF).]

2. Records open to inspection. A person required to maintain records pursuant to subsection 1 shall allow inspection of those records by any law enforcement officer. A person who violates this subsection commits a Class E crime. Violation of this subsection is a strict liability crime as defined in Title 17-A, section 34, subsection 4-A.
[PL 2003, c. 452, Pt. Q, §1 (AMD); PL 2003, c. 452, Pt. X, §2 (AFF).]

3. Offense.
[PL 2003, c. 452, Pt. Q, §1 (RP); PL 2003, c. 452, Pt. X, §2 (AFF).]

4. Form. If the Secretary of State prescribes a form for the keeping of the record required in subsection 1, the owner shall use that form. The form must be carried in the vehicle during the period of lease or hire.
[PL 2003, c. 452, Pt. Q, §1 (AMD); PL 2003, c. 452, Pt. X, §2 (AFF).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 2003, c. 452, §Q1 (AMD). PL 2003, c. 452, §X2 (AFF).

§255. Confidentiality for public safety

1. Confidential records. Notwithstanding any other provision of law, the Secretary of State or a designee of the Secretary of State may hold records relating to a person's motor vehicle registration and driver's license confidential for a specified period of time when the following conditions are met:

A. The Secretary of State has received a written request along with a copy of a protection order that has been issued under Title 5, section 4654 or 4655; Title 15, section 321; Title 19-A, section 4108 or 4110; or Title 22, chapter 1071 to protect the requestor from harassment or abuse; or [PL 2023, c. 405, Pt. A, §108 (AMD).]

B. The Secretary of State or a designee of the Secretary of State has:

(1) Received a written request showing cause that a person is in danger of serious bodily injury or death by another person and that the endangered person is relocating for the specific purpose of avoiding harm;

(2) Consulted with the Commissioner of Public Safety or a designee of the commissioner and the Attorney General or a designee of the Attorney General; and

(3) Determined that holding the endangered person's driver's license and motor vehicle registration records as confidential is in the best interest of public safety. [PL 1995, c. 645, Pt. B, §6 (NEW); PL 1995, c. 645, Pt. B, §24 (AFF).]
[PL 2023, c. 405, Pt. A, §108 (AMD).]

2. Release of records. The Secretary of State may release information held in confidence pursuant to subsection 1 to law enforcement officers, insurance companies and municipal, county, state or federal agencies that demonstrate a necessity for the information. The Secretary of State shall prescribe the conditions under which the information may be used and the person receiving the information may only use the information as prescribed.

[PL 1995, c. 645, Pt. B, §6 (NEW); PL 1995, c. 645, Pt. B, §24 (AFF).]

3. Liability for release. Neither failure of the Secretary of State or an employee of the Secretary of State to perform the requirements of this section nor compliance with it subjects the Secretary of State or employees of the Secretary of State to liability in a civil action.
[PL 1995, c. 645, Pt. B, §6 (NEW); PL 1995, c. 645, Pt. B, §24 (AFF).]

4. Rules. The Secretary of State may, in consultation with the Commissioner of Public Safety and the Attorney General, adopt rules necessary for the implementation of this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.
[PL 1995, c. 645, Pt. B, §6 (NEW); PL 1995, c. 645, Pt. B, §24 (AFF).]

SECTION HISTORY

PL 1995, c. 645, §B6 (NEW). PL 1995, c. 645, §B24 (AFF). PL 2023, c. 405, Pt. A, §108 (AMD).

§256. Federal Driver's Privacy Protection Act of 1994

The Secretary of State shall adopt routine technical rules to implement the provisions of 18 United States Code, Chapter 123 in disclosing records. [PL 2017, c. 229, §11 (AMD).]

SECTION HISTORY

PL 1995, c. 645, §B6 (NEW). PL 1995, c. 645, §B24 (AFF). PL 2017, c. 229, §11 (AMD).

§257. Confidentiality of technology system information

(REPEALED)

SECTION HISTORY

PL 2003, c. 434, §6 (NEW). PL 2003, c. 434, §37 (AFF). PL 2015, c. 250, Pt. C, §4 (RP).

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