## §1301. Application

**1. Application required.** An applicant must present to the Secretary of State an application for license on a form prepared by the Secretary of State.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

**2. Contents.** The applicant must provide specific answers that demonstrate the experience and competence of the applicant to operate a motor vehicle.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

**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.
[PL 2017, c. 27, §2 (AMD); PL 2017, c. 27, §10 (AFF).]

**3. Proof of age.** An applicant who has not attained the age of 23 years must provide satisfactory proof of the applicant's date of birth prior to receiving a permit or original license.
[PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

**4. Examination.** An applicant must pass a physical examination by actual demonstration of ability to operate a motor vehicle and a written examination. Failure to complete the driving test within the term of a learner's permit requires reexamination for the permit.
[PL 2013, c. 381, Pt. B, §15 (AMD).]

**5. Permanent license number.**
[PL 2005, c. 250, §1 (RP).]

**6. Social security number.** Notwithstanding any other provision of law, the social security number of any applicant for a license or nondriver identification card must be recorded on the application, and the Secretary of State may not issue a license or nondriver identification card to a person who does not possess and provide a valid social security number. The Secretary of State shall collect, store and verify the social security number of an applicant for a license or nondriver identification card and may use that number to establish a permanent license number or nondriver identification number. This subsection does not apply to a person who provides written proof to the Secretary of State that the person is ineligible to receive a social security number.
[PL 2005, c. 250, §2 (RPR).]

**6-A. Confidentiality.** Except as required by 18 United States Code, Section 2721(b), the Secretary of State may not disseminate information collected under subsection 6. For every willful violation of this subsection, a person commits a civil violation for which a fine of not more than $500 may be adjudged.
[PL 2017, c. 229, §19 (AMD).]

**7. Physical examination.** A physical examination that may be required by the Secretary of State for the issuance or renewal of a license may be performed by a licensed physician, physician assistant, nurse practitioner or other competent treatment personnel as determined by the Medical Advisory Board.
[PL 2001, c. 159, §1 (NEW).]

**8. Organ and tissue donation.** This subsection applies to organ donation under section 1402-A.

A. Before issuing or renewing a driver's license, the Secretary of State shall make available to the applicant a short statement on the opportunity to save a life through organ and tissue donation and shall provide the applicant an opportunity to become an organ or tissue donor. The applicant must be given a form on which to indicate whether the applicant intends to become a donor. [PL 2003, c. 394, §2 (NEW); PL 2003, c. 394, §6 (AFF).]

B. Information regarding the opportunity to save a life through organ and tissue donation must be prominently displayed on driver's license information mailed to applicants or distributed at offices of the bureau and must be prominently displayed on posters in offices of the bureau. [PL 2003, c. 394, §2 (NEW); PL 2003, c. 394, §6 (AFF).]

[PL 2003, c. 394, §2 (NEW); PL 2003, c. 394, §6 (AFF).]

**8. (REALLOCATED TO T. 29-A, §1301, sub-§9) Vehicle used for examination.**
[RR 2003, c. 1, §28 (RAL); PL 2003, c. 397, §4 (NEW); PL 2003, c. 397, §6 (AFF).]

**9. (REALLOCATED FROM T. 29-A, §1301, sub-§8) Vehicle used for examination.** An applicant for a license may not use a low-speed vehicle or autocycle to demonstrate ability to operate a motor vehicle as required under subsection 4.
[PL 2009, c. 55, §3 (AMD).]

**10. Expired documents.** The Secretary of State may not accept the following documents as identification for the purpose of issuing a nondriver identification card or driver's license:

A. An expired visa granted by the authority of the United States; [PL 2005, c. 469, §1 (NEW).]

B. An expired document issued by a foreign country; or [PL 2005, c. 469, §1 (NEW).]

C. A foreign passport showing an elapsed departure date. [PL 2005, c. 469, §1 (NEW).]

[PL 2005, c. 469, §1 (NEW).]

**11. Residency requirement.** A license may not be issued to a person unless the person presents acceptable documentary evidence of the person's residence or domicile in this State. The Secretary of State may exempt from the requirements of this subsection a person who has established to the satisfaction of the Secretary of State that the person is on active duty in the United States Armed Forces, the spouse or child of a person on active duty in the United States Armed Forces or a student enrolled in a university, college or school within the State.

A. Acceptable documentary evidence of a person's residence or domicile in this State must include the applicant's name and the address of the person's residence or domicile in this State. A post office box or other mail drop address is not sufficient. Acceptable documentary evidence includes, but is not limited to:

(1) A tax return, W-2 form or paycheck stub;

(2) A utility bill or a letter from a utility company showing application for service;

(3) A contract to which the applicant is a party; or

(4) A document issued by a governmental entity. [PL 2007, c. 659, §1 (NEW).]

B. A person who is unable to provide acceptable documentary evidence pursuant to paragraph A may meet the requirements of this subsection by:

(1) Submitting the affidavits of 2 individuals who have a personal or professional relationship with the person and knowledge of the person and the person's residence or domicile, which may include a shelter, in this State. A single affidavit signed by a parent or guardian of a minor making an application is sufficient for the purposes of this paragraph. The Secretary of State may reject any affidavit the Secretary of State determines to be insufficient to meet the requirements of this subsection. The affidavit is a sworn statement and a false statement by the affiant constitutes false swearing, which is a violation of Title 17-A, section 452. The Secretary of State shall provide forms for the completion of affidavits. These forms must state: "By signing this statement I verify that the representations herein are true. By making false statements on this document, I realize I am committing a Class D crime punishable under Maine law."; or

(2) By taking an oath or affirmation before the Secretary of State swearing to the person's residence or domicile, which may include a shelter. [PL 2007, c. 659, §1 (NEW).]

An applicant who supplies false information pursuant to this subsection makes a material misstatement of fact described in section 2103 and is subject to the penalties under that section.
[PL 2007, c. 659, §1 (NEW).]

**12. Selective service registration.** Before issuing or renewing a driver's license to a male United States citizen or immigrant who is at least 18 years of age and under 26 years of age, the Secretary of State shall provide the applicant with a short statement on the requirements of the federal Military Selective Service Act, 50 United States Code, Section 453 and a federal Military Selective Service registration form. If an applicant consents to register with the federal Selective Service System pursuant to this subsection, the Secretary of State shall forward the necessary information of the applicant to the federal Selective Service System.
[PL 2011, c. 170, §1 (NEW).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1997, c. 437, §30 (AMD). PL 1997, c. 537, §59 (AMD). PL 1997, c. 537, §62 (AFF). PL 2001, c. 159, §1 (AMD). PL 2001, c. 671, §24 (AMD). RR 2003, c. 1, §28 (COR). PL 2003, c. 394, §2 (AMD). PL 2003, c. 394, §6 (AFF). PL 2003, c. 397, §4 (AMD). PL 2005, c. 250, §§1,2 (AMD). PL 2005, c. 469, §1 (AMD). PL 2007, c. 648, §1 (AMD). PL 2007, c. 659, §1 (AMD). PL 2009, c. 55, §3 (AMD). PL 2011, c. 149, §4 (AMD). PL 2011, c. 170, §1 (AMD). PL 2013, c. 163, §1 (AMD). PL 2013, c. 381, Pt. B, §15 (AMD). PL 2017, c. 27, §2 (AMD). PL 2017, c. 27, §10 (AFF). PL 2017, c. 229, §19 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Regular Session of the 129th Maine Legislature and is current through October 1, 2019. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.