# **29-250 DEPARTMENT OF SECRETARY OF STATE**

 **BUREAU OF MOTOR VEHICLES**

**Chapter 6: RULES FOR THE SUSPENSION OF COMMERCIAL DRIVERS' LICENSES**

**SUMMARY**: These rules implement those provisions of the federal Commercial Motor Vehicle Safety Act of 1986 (Public Law 99-570, Title XII), Motor Carrier Safety Improvement Act of 1999 (Public Law 106-59), 113 Stat. 1748 and rules adopted thereto and the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA Patriot Act) Act of 2001 (Public Law 107-56) and rules adopted thereto relating to the disqualification of persons from operating commercial motor vehicles upon conviction, adjudication, or administrative determination for specific traffic and other designated offenses. The adoption of these rules does not limit the authority of the Secretary of State to suspend or revoke a commercial driver's license for reasons not stated herein.

**1. Purposes**

 The purposes of these rules are to implement the provisions of the federal Commercial Motor Vehicle Safety Act of 1986 (Public Law 99-570 Title XII) and Motor Carrier Safety Improvement Act of 1999 (Public Law 106-59), 113 Stat. 1748 and rules adopted thereto ; to reduce or prevent commercial motor vehicle accidents, fatalities and injuries by disqualifying persons who have committed serious traffic or other designated offenses from operating commercial motor vehicles; and to remove quickly from the public highways of this State those drivers of commercial motor vehicles who have shown themselves to be safety hazards by operating commercial motor vehicles while having 0.04 percent or more by weight of alcohol in the blood, failing to submit to and complete a test to determine the blood-alcohol level, or operating a commercial motor vehicle while under the influence of liquor or drugs. These rules also implement certain provisions of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA Patriot Act) Act of 2001 (Public Law 107-56) and rules adopted thereto. To effectuate the purposes of these rules the Secretary of State shall participate in the National commercial driver’s license information system clearing house.

**2. Definitions**

 For the purpose of these rules the following definitions apply:

 A. Commercial driver's license means a license issued by this state or other jurisdiction to an individual which authorizes the individual to operate a class of commercial motor vehicle.

 B. Chemical test means a test or tests used to determine blood-alcohol level or drug concentration by analysis of blood, breath or urine.

 C. Commercial motor vehicle (CMV) means a motor vehicle or combination of motor vehicles that:

 (1) Has a gross combination weight rating or a registered weight of 26,001 or more pounds, inclusive of a towed unit with a gross vehicle weight rating or gross weight of more than 10,000 pounds; or

 (2) Has a gross vehicle weight rating or registered weight of 26,001 or more pounds;

 (3) Is a bus; or

 (4) Is in any vehicle weight class and used in the transportation of hazardous materials requiring placarding pursuant to 49 USC Section 5102 (2) [United States Code, 2000 Edition, Supplement 1] and related regulations in 49 CFR Sections 172.500 to 172.600 [Code of Federal Regulations, October 1, 2004 Edition] or any quantity of material listed as a select agent or toxin in 42 CFR Sections 73 to 73.2 [Code of Federal Regulations, October 1, 2004 Edition].

 D. Controlled substance means any substance so classified pursuant to 21 USC Section 802 (6) [United States Code, 2004 Edition, Supplement 1, and includes all substances listed on Schedules I through V in 21 CFR Sections 1308.11 to 1308.15 [Code of Federal Regulations, April 1, 2005 Edition].

 E. Conviction has the same meaning as that found in 49 CFR Section 383.5 [Code of Federal Regulations, October 1, 2004 Edition].

 F. Drugs means scheduled drugs as defined in 17-A MRSA Section 1101 as amended through June 18, 2005. The term drugs includes any natural or artificial chemical substance that when taken into the human body, can impair the ability of the person to safely operate a motor vehicle.

 G. Hazardous material has the same meaning as that found in 49 USC Section 5102 [United States Code, 2000 Edition, Supplement 1] and includes any quantity of material listed as a select agent or toxin in 42 CFR Sections 73 to 73.21 [Code of Federal Regulations, October 1, 2004 Edition].

 H. Non-commercial motor vehicle (Non-CMV) means a motor vehicle or combination of motor vehicles not defined by the term “commercial motor vehicle (CMV)” by these rules.

 I. Out-of-service order means a declaration by the Federal Motor Carrier Safety Administration, an authorized enforcement officer of a Federal, State, Canadian, Mexican, or local jurisdiction that a driver, a commercial motor vehicle, or a motor carrier operating, is out-of-­service pursuant to 49 CFR Sections 383.52, 392.5, 395.13, or 396.9 of [Code of Federal Regulations, October 1, 2004 Edition], or compatible laws, or the North American Uniform Out-of Service Criteria [Commercial Motor Vehicle Safety Alliance, North American Standard Out-Of-Service criteria, Revised April 1, 2005].

 J. Railroad, grade, or track crossing violation means a conviction, adjudication or administrative determination that a person violated a federal, state or local law or regulation governing railroad, grade, or track crossings.

 K. Serious traffic violation means:

 (1) a conviction or adjudication for speeding 15 or more miles per hour above the speed limit.

 (2) a conviction or adjudication for driving to endanger or reckless driving.

 (3) a conviction or adjudication for following too closely.

 (4) a conviction or adjudication for improper or erratic lane changes.

 (5) a conviction or adjudication relating to motor vehicle traffic control (other than a parking violation) arising in connection with a fatal traffic accident.

 (6) a conviction or adjudication for operating without a license, including operating without the proper class of license or proper endorsement.

 (7) a conviction or adjudication for operating without having a license in immediate possession.

 Serious traffic violations exclude vehicle weight and defect violations.

 L. Under the influence of intoxicating liquor or drugs means being under the influence of alcohol, a drug other than alcohol, a combination of drugs , or a combination of alcohol and drugs.

**3. Suspension on administrative determination for operating a commercial motor vehicle while having 0.04% or more by weight of alcohol in the blood**

 A. Suspension. Except where a longer period of suspension is otherwise provided by law, the Secretary of State shall suspend the commercial driver's license or permit to operate, privilege to operate a commercial motor vehicle and privilege to apply for or obtain a commercial driver's license of any person:

 (1) As to whom there is received a record of conviction or adjudication for operating a commercial motor vehicle while having 0.04% or more by weight of Alcohol in the blood, while under the influence of intoxicating liquor or drugs, or with an excessive blood-alcohol level; or

 (2) As to whom the Secretary of State determines has operated a commercial motor vehicle while having 0.04% or more by weight of alcohol in the blood.

 B. Determination of Suspension. The Secretary of State shall make the determination of suspension required by section 3(A)(2) as follows.

 (1) The Secretary of State shall make a determination on the basis of the information required in Section 3(C), and this determination is final unless a hearing is requested and held. If a hearing is held, the Secretary of State shall review the matter and make a final determination on the basis of the evidence received at the hearing.

 (2) The determination of these facts by the Secretary of State is independent of the determination of the same or similar facts in the adjudication of any civil or criminal charges arising out of the same occurrence. The disposition of those civil or criminal charges does not affect any suspension issued pursuant to these rules.

 C. Report by Law Enforcement Officer. A law enforcement officer shall forward a report to the Secretary of State as follows.

 (1) A law enforcement officer who has probable cause to believe that any person operated a commercial motor vehicle while having 0.04% or more by weight of alcohol in the blood shall forward to the Secretary of State a report under oath of all information relevant to the incident including a statement of the officer's grounds for belief that the person was operating a commercial motor vehicle while having 0.04% or more by weight of alcohol in the blood and a certificate under 29-A MRSA Section 2431 of the results of any blood-alcohol tests by a self-contained breath‑alcohol testing apparatus which were conducted.

 (2) The report required in Section 3(C)(1) shall be made on forms supplied by or approved by the Secretary of State.

 (3) If the blood-alcohol test was not analyzed by a law enforcement officer, the person who analyzed the results shall cause a copy of the certificate under 29-A MRSA Section 2431 to be sent to the Secretary of State.

 D. Period of Suspension. The period of suspension for a person determined to have operated a commercial motor vehicle while having 0.04% or more by weight of alcohol in the blood, while under the influence of intoxicating liquor or drugs, or with an excessive blood alcohol level is as follows.

 (1) A one year suspension in the case of a person having no previous convictions for operating a commercial motor vehicle while under the influence of intoxicating liquor or drugs or with an excessive blood-alcohol level and no previous suspensions for failure to comply with the duty to submit to and complete chemical testing involving the operation of a commercial motor vehicle or for operating a commercial motor vehicle while having 0.04% or more by weight of alcohol in the blood. If the person was operating a commercial motor vehicle containing hazardous materials, the suspension must be for a period of three years.

 (2) A permanent suspension in the case of a person having a previous conviction for operating a commercial motor vehicle while under the influence of intoxicating liquor or drugs or with an excessive blood-alcohol level or a previous suspension for failure to comply with the duty to submit to and complete chemical testing involving the operation of a commercial motor vehicle or for operating a commercial motor vehicle while having 0.04% or more by weight of alcohol in the blood. The reinstatement process described in paragraph 10, below, is not applicable for offenses described in this paragraph.

 (3) For the purposes of these rules, a conviction, adjudication or suspension includes a conviction, adjudication or suspension obtained or issued pursuant to the laws, rules, or regulations of this state, any other state or province, and the federal government of the United States.

 E. Implied Consent. A person who operates a commercial motor vehicle shall submit to a test to determine the blood-alcohol level or drug concentration by analysis of the blood or breath, if there is probable cause to believe the person has operated a commercial motor vehicle while having 0.04% or more by weight of alcohol in the blood or while under the influence of drugs. The provisions of 29‑A MRSA section 2523 apply.

 F. Notice of Suspension. The notice of suspension by the Secretary of State shall be made as follows:

 (1) Upon receipt of the information required in Section 3(C) of these rules, the Secretary of State shall make the determination described in Section 3(A)(2). If the Secretary of State determines that the person is subject to license suspension, the Secretary of State shall immediately issue a notice of suspension.

 (2) The notice of suspension must be sent in accordance with 29-A MRSA Section 2482 or to the address provided in the report of the law enforcement officer if that address differs from the address of record. The notice is deemed received 3 days after mailing, unless returned by postal authorities.

 (3) The notice of suspension must clearly specify the reason and statutory grounds for the suspension, the effective date of the suspension, the right of the person to request a hearing, the procedure for requesting a hearing and the date by which the request for a hearing must be made. The notice of suspension must also clearly state that a copy of the report of the law enforcement officer and the blood-alcohol test certificate will be provided to the person upon request to the Secretary of State.

 G. Effective date and period of suspension. The effective date and period of suspension are determined as follows.

 (1) Any suspension imposed must be effective on a specified date not less than 10 days after the mailing of the notification of suspension by the Secretary of State. A suspension served in hand may become effective when served. If a person whose license is suspended desires to have a hearing, the person shall notify the Secretary of State, in writing, within 10 days from the effective date of suspension. If within ten days from the effective date of the suspension, the Secretary of State receives a written request for a hearing for a suspension issued pursuant to section 3(A)(2), the suspension must be stayed until a hearing is held and a decision is issued. Notwithstanding this subsection, there may be no stay of suspension during the period of any delay in hearing which is caused or requested by the petitioner.

 (2) When a person's commercial driver's license is suspended pursuant to these rules and is also suspended after having been adjudicated or convicted on charges arising out of the same occurrence for a violation of 29-A MRSA Section 2411 or 15 MRSA section 3103(l)(F), the period of time that person's commercial driver's license has been suspended under this section prior to the adjudication or conviction must be deducted from the period of time of any suspension of the commercial driver's license ordered by the court or imposed by the Secretary of State.

 H. Request for hearing. A person who has received notice of suspension issued pursuant to Section 3(A)(2) may request a hearing as follows.

 (1) A person who has received a notice of suspension may make a written request for a review of the determination of the Secretary of State at a hearing.

 (2) The request for a hearing must be made within 10 days from the effective date of the suspension. If a written request for a hearing is made after the 10-day period and the Secretary of State finds that the person was unable to make a timely request due to lack of actual notice of the suspension or due to factors of physical incapacity, the Secretary of State shall waive the period of limitation, reopen the matter and grant the hearing request, except, in such a case, a stay of suspension pending the hearing shall not be granted.

 I. Hearing. The hearing and notice shall be as follows.

 (1) The hearing and notice shall be as provided in 29-A MRSA Sections 2483, 2484, and 2485.

 (2) The scope of the hearing shall include whether, by a preponderance of the evidence:

 (a) There was probable cause to believe that the person was operating a commercial motor vehicle while having 0.04% or more by weight of alcohol in the blood;

 (b) The person operated a commercial motor vehicle; and

 (c) At the time the person had 0.04% or more by weight of alcohol in the blood.

 (3) A certificate duly signed and sworn to pursuant to 29-A MRSA Section 2431 shall be admissible in evidence as prima facie proof of facts stated therein and that the person taking a specimen of blood, breath or urine was authorized by 29-A MRSA Section 2431, that the equipment, chemicals and other materials used in the taking of the blood or urine specimen or breath sample were of a quality appropriate for the purpose of producing reliable test results, that any equipment, chemicals or materials required by 29-A MRSA Section 2431, to be approved by the Department of Health and Human Services were in fact approved, that the sample tested by the person certified under 29-A MRSA Section 2431, was in fact the same sample taken and that the percentage by weight of alcohol in the blood was, at the time the blood, breath or urine sample was taken, as stated in the certificate.

 (4) If it is determined after hearing that there was not the requisite probable cause for blood-alcohol test administration or that the person did not operate a commercial motor vehicle while having 0.04% or more by weight of alcohol in the blood, the suspension shall be removed immediately and the Secretary of State shall delete any record of the suspension.

 (5) Any person whose license is suspended under this section on the basis of blood-alcohol test may, within 30 days after receipt of the decision, appeal to the Superior Court for judicial review, as provided in Title 5, sections 11001 to 11008. The suspension imposed shall remain in effect during the time an appeal is pending unless the court orders otherwise. If the court rescinds the suspension, the Secretary of State shall delete any record of the suspension.

 J. Restoration of commercial driver's license. Following the expiration of the aggregate periods of suspension imposed pursuant to these rules, otherwise imposed by the Secretary of State, or ordered by any court, the Secretary of State may issue a commercial driver's license to the person, subject to the conditions, restrictions or terms the Secretary of State deems advisable, if the Secretary of State has received written notice that the person has satisfactorily completed the alcohol and other drug education, evaluation and treatment program administered by the Department of Health and Human Services.

**4. Suspension of commercial driver's licenses on conviction or adjudication**

 A. Except where a longer period of suspension is otherwise provided by law, the Secretary of State shall suspend for a period of at least one year the commercial driver's license or permit to operate, privilege to operate a commercial motor vehicle and privilege to apply for or obtain a commercial driver's license of any person as to whom there is received a record of conviction or adjudication for:

 (1) leaving the scene of an accident involving a commercial motor vehicle operated by the person;

 (2) a Class A, Class B, Class C crime, or any other crime that is punishable by death or imprisonment for a term exceeding one year, the commission of which involved the use of a commercial motor vehicle;

 (3) operating a commercial motor vehicle while under the influence of a controlled substance.

 (4) operating a commercial motor vehicle after the person’s license has been suspended, revoked, cancelled or withdrawn for violations while operating a commercial motor vehicle; or

 (5) causing a fatality by the negligent or criminal operation of a commercial motor vehicle.

 B. Hazardous materials. If the person was operating a commercial motor vehicle containing hazardous materials at the time of the commission of the offenses listed in Section 4(A), the suspension shall be for a period of at least three years.

 C. The Secretary of State shall suspend permanently the commercial driver's license or permit to operate, privilege to operate a commercial motor vehicle and right to apply for or obtain a commercial driver's license of any person as to whom there is received a record of a second or subsequent conviction or adjudication for any combination of offenses or suspensions listed in sections 3 and 4(A) and 29-A MRSA § 2523. Reinstatement from a permanent suspension may be requested in accordance with paragraph 10, below.

 D. Drug offenses. The Secretary of State shall suspend permanently the commercial driver's license or permit to operate, privilege to operate a commercial motor vehicle and right to apply for or obtain a commercial driver's license of any person as to whom there is received a record of conviction or adjudication for a Class A, Class B, or Class C crime or any other crime that is punishable by death or imprisonment for a term exceeding one year, the commission of which involved the use of a commercial motor vehicle in the manufacturing, distributing, or dispensing a controlled substance, or possession with intent to manufacture, distribute, or dispense a controlled substance. Reinstatement from a permanent suspension may be requested in accordance with paragraph 10, below.

 E. Falsity on Application. The Secretary of State shall suspend for a period of at least 60 days the commercial driver's license or permit to operate, privilege to operate a commercial motor vehicle and privilege to apply for or obtain a commercial driver's license of any person as to whom there is received a record of conviction or adjudication pursuant to 29-A MRSA Section 2103 which involved the application for a commercial driver's license.

**5. Suspension of commercial driver's license on conviction or adjudication for multiple serious traffic violations**

 A. Except where a longer period of suspension is otherwise provided by law, the Secretary of State shall suspend for a period of at least sixty days the commercial driver's license or permit to operate, privilege to operate a commercial motor vehicle and privilege to apply for or obtain a commercial driver's license of any person as to whom there is received a record of two convictions or adjudications for serious traffic violations, as defined by Section 2(K), that were committed within a three year period while operating a commercial motor vehicle.

 B. Except where a longer period of suspension is otherwise provided by the law, the Secretary of State shall suspend for a period of at least 120 days the commercial driver's license or permit to operate, privilege to operate a commercial motor vehicle and privilege to apply for or obtain a commercial driver's license of any person as to whom there is received a record of three convictions or adjudications for serious traffic violations, as defined by Section 2(K), that were committed within a three year period while operating a commercial motor vehicle.

**6. Suspension of commercial driver's license on conviction or adjudication for violation of an out-of-service order**

 A. Except where a longer period of suspension is otherwise provided by the law, the Secretary of State shall suspend for a period of at least 90 days the commercial driver's license or permit to operate, privilege to operate a commercial motor vehicle and privilege to apply for or obtain a commercial driver's license of any person as to whom there is received a conviction or adjudication for a violation of an out-of-service order that was committed while operating a commercial motor vehicle, or motor vehicle with a gross vehicle weight rating or gross combination weight rating of 10,001 or more pounds.

 B. Except where a longer period of suspension is otherwise provided by the law, the Secretary of State shall suspend for a period of at least one year the commercial driver's license or permit to operate, privilege to operate a commercial motor vehicle and privilege to apply for or obtain a commercial driver's license of any person as to whom there is received a record of two convictions or adjudications for violations of out-of-service orders that were committed within a ten year period while operating a commercial motor vehicle, or motor vehicle with a gross vehicle weight rating of gross combination weight rating of 10,001 or more pounds.

 C. Except where a longer period of suspension is otherwise provided by law, the Secretary of State shall suspend for a period of at least three years the commercial driver's license or permit to operate, privilege to operate a commercial motor vehicle and privilege to apply for or obtain a commercial driver's license of any person as to whom there is received a record of three or more convictions or adjudications for violations of out-of-­service orders that were committed within a ten year period while operating a commercial motor vehicle or motor vehicle with a gross vehicle weight rating or gross combination weight rating of 10,001 or more pounds.

 D. Except where a longer period of suspension is otherwise provided by the law, the Secretary of State shall suspend for a period of at least 180 days the commercial driver's license or permit to operate, privilege to operate a commercial motor vehicle and privilege to apply for or obtain a commercial driver's license of any person as to whom there is received a conviction or adjudication for a violation of an out-of-service order that was committed while operating a commercial motor vehicle or a motor vehicle with a gross vehicle weight rating or gross combination weight rating of 10,001 or more pounds containing hazardous materials..

 E. Except where a longer period of suspension is otherwise provided by the law, the Secretary of State shall suspend for a period of at least three years the commercial driver license or permit to operate, privilege to operate a commercial motor vehicle and privilege to apply for or obtain a commercial driver's license of any person as to whom there is received a record of two or more convictions or adjudications for violations of out-of-service orders that were committed within a ten year period while operating a commercial motor vehicle or motor vehicle with a gross vehicle weight rating or gross combination weight rating of 10,001 or more pounds containing hazardous materials.

**7. Suspension of commercial driver’s license on conviction or adjudication for a railroad, grade, or track crossing violation**

 A. Except where a longer period of suspension is otherwise provided by law, the Secretary of State shall suspend for a period of at least 60 days the commercial driver’s license or permit to operate, privilege to operate a commercial motor vehicle and privilege to apply for or obtain a commercial driver’s license of any person as to whom there is received a conviction or adjudication for a railroad, grade, or track crossing violation that was committed while operating a commercial motor vehicle.

 B. Except where a longer period of suspension is otherwise provided by the law, the Secretary of State shall suspend for a period of at least 120 days the commercial driver’s license or permit to operate, privilege to operate a commercial motor vehicle and privilege to apply for or obtain a commercial driver’s license of any person as to whom there is received a record of two convictions or adjudications for railroad, grade, or track crossing violations that were committed within a three year period while operating a commercial motor vehicle.

 C. Except where a longer period of suspension is otherwise provided by law, the Secretary of State shall suspend for a period of one year the commercial driver’s license or permit to operate, privilege to operate a commercial motor vehicle and privilege to apply for or obtain a commercial driver’s license of any person as to whom there is received a record of three or more convictions or adjudications for railroad, grade, or track crossing violations that were committed within a three year period while operating a commercial motor vehicle.

**8. Suspension of commercial driver’s license on conviction or adjudication of offenses committed while operating Non-CMVs**

 A. A conviction, adjudication or suspension for an offense or conduct described in these rules, state or federal statute or rules committed by a person who has been issued a commercial driver’s license or permit while operating a Non-CMV must be treated the same as if the offense or conduct occurred while operating a CMV, provided the conviction, adjudication or conduct results in the revocation, cancellation or suspension of the person’s commercial or non-commercial driver’s license.

 B. Paragraph A applies to conduct and offenses occurring after September 29, 2005.

**9. USA Patriot Act.** The Secretary of State shall suspend or refuse to issue a commercial driver’s license or endorsement of any person who is required to comply with the requirements and conditions of the Act and fails to do so.

**10. Reinstatement of a commercial driving license from lifetime disqualification after 10 years**

A. The Secretary of State may reinstate any eligible commercial driver disqualified for life based on offenses described in paragraphs (b)(1) through (8) of Table 1 to 49 CFR Section 383.51 after 10 years, if that person has voluntarily entered and successfully completed the appropriate rehabilitation program described in this section.

B. Only drivers who possessed a commercial driving license issued by the Maine Bureau of Motor Vehicles at the time of lifetime disqualification may apply under the provisions of this section.

C. Drivers Disqualified for Life as a Result of non-OUI Offenses (Rows 5-8 of Table 1, 49 CFR, Section 383.51).

1. Eligibility Criteria. To be eligible under this paragraph, an applicant must meet the requirements of 49 CFR Section 383.51 and must:

(a) Not have received any convictions in a commercial motor vehicle within 10 years of application submission.

(b) Not have received any criminal convictions in a non-commercial motor vehicle within 5 years of application submission.

(c) Not have received any convictions in a non-commercial motor vehicle that would otherwise trigger commercial driving license suspension per 49 CFR 383.51(b) within 5 years of application submission.

(d) Possess an active Maine Class C non-commercial driver’s license.

1. Rehabilitation Requirements. An applicant must submit with their application:

(a) Certificate of Completion of the National Safety Council’s Defensive Driving Professional Truck Driving Course (4-hour duration) within 180 days of application.

(b) Reinstatement fees consistent with M.R.S.A. 29-A, section 2486, sub. 1 or 1-A as appropriate.

1. Maine BMV will verify the applicant is not listed as ‘prohibited’ in the Drug and Alcohol Clearinghouse when reviewing the application.

D. Drivers Disqualified for Life as a Result Offenses Related to Operation Under the Influence (Rows 1-4 of Table 1, 49 CFR, Section 383.51) on any of the major offenses aggregated to reach the lifetime disqualification determination.

(1) Eligibility Criteria. To be eligible under this paragraph, an applicant must meet the requirements of paragraph C (1) (a-e) above, and must:

(a) Not have received any administrative or criminal convictions for operating under the influence in a non-commercial motor vehicle within 5 years of application submission.

(2) Rehabilitation Requirements. An applicant must submit with their application the items listed in paragraph C (2) ((a-b) above, and:

(a) Drug Education and Evaluation Program (DEEP) Certificate of Completion from the Maine Department of Health and Human Services (DHHS) dated within 180 days of application.

E. A driver reinstated under this program must also complete all examination requirements per MRSA 29-A, Chapter 11: Driver’s License before the commercial driver’s license and any accompanying endorsements will be awarded.

F. Request for hearing.An applicant who is denied reinstatement may make a written request for a hearing to review the determination of the Secretary of State. The request must be made within 10 days from notification that an application was denied. Hearings will be conducted per M.R.S.A. 29-A, Section 2483.

G. A driver reinstated under this program shall not be licensed or endorsed to operate any class of schoolbus.

There will be no fiscal impact to municipalities resulting from the adoption of these amendments.

STATUTORY AUTHORITY: 29-A MRSA §1253

EFFECTIVE DATE:

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