

Secretary of State Shenna Bellows  
Department of the Secretary of State  
Joint Standing Committee on Criminal Justice & Public Safety Committee  
Orientation ~ Monday, February 1, 2021

The Division of Driver License Services within the Bureau of Motor Vehicles was established with the objective of assuring the safety of licensees and other users of the highway through improved attitudes and driving performance. This is achieved through the administration of the laws pertaining to the operation of motor vehicles, issuance of driver licenses and through maintaining records of convictions or adjudications transmitted by the courts; through traffic accident records; by identifying drivers who are reckless or negligent and habitual or frequent violators of traffic laws and/or accident involvement and by maintaining standards to determine physical, emotional and mental competencies for driving.

The division is comprised of seven work units divided by responsibilities of issuance and control. The control group consists of three units which are Financial Responsibility, Court Records and OUI/HO. The primary functions and activities of those work groups are to assure motor vehicles are properly insured, to process abstracts of convictions or adjudications of motor vehicle law violations as transmitted from the Maine Judicial System including the traffic court and to apply the information to driver history records. They review records for appropriate action against repeat violators under the point system or suspend licenses, registrations or privilege to obtain credentials as mandated by law. They review reports of traffic accidents as received electronically through the Maine Crash Reporting System and invoke the provisions of the Financial Responsibility Law against motorists involved. They also suspend licenses based on administrative determination that a person operated with an excessive alcohol level, under the influence of drugs or were under the legal drinking age while operating a motor vehicle with any amount of alcohol. Another function is the management of the Ignition Interlock program and associated requirements that allow a driver to restore driving privileges with the installation of an approved interlock device.

2020 Total number of convictions \*

- Resident: 38,346
- Non-Resident: 4,349

2020 Total number of license suspensions \*

- Resident: 32,937
- Non-Resident: 1,586

2018 Total number of arrests for blood alcohol offenses \*

- 7,538

\*2020 totals are as of January 1, 2021 this number is likely to be larger since convictions/suspensions are still coming in for 2020

\*Blood alcohol offenses are for 2018

2020 Net active Ignition Interlock Devices

- 606

2020 Total accidents – 50,066 (down from last year - 64,637)

2020 Number of uninsured – 1,921 (up from last year – 1,766) making the uninsured accident percentage a little higher at 3.76% up from the past years in the upper 2% - still well under the national average however.

The Division of Legal Affairs, Adjudication and Hearings conducts all administrative hearings reviewing the suspension and restoration of drivers' licenses. In practice, the bulk of license suspension hearings are for OUIs and refusals, violations of alcohol conditions and for demerit point accumulation and some specified convictions. The division also reviews various other license suspensions, such as for failure to maintain insurance, medical reasons, negligent operation causing a fatal crash, violations of Ignition Interlock Device, Habitual Offender revocations and more.

The division also administers the adjudicatory hearings program and the Motor Vehicle Franchise Board.

Although they often arise from incidents that also give rise to criminal prosecutions, administrative suspensions serve a public safety rather than a punitive function and are separate from any court proceedings. An administrative hearing serves as a last look to make sure the bureau acted correctly under the law. As such, hearing decisions are final agency action, appealable to the Superior Court.

Typically, approximately 5,000 hearings are scheduled annually.

The division also performs legal research and training for the Bureau and provides legal advice, guidance and direction to the staff in the administration and interpretation of state and federal laws governing motor vehicles and drivers.

The Enforcement Anti-Theft & Regulations Division provides law enforcement investigations for the bureau, manages the automobile title process and oversees the regulatory compliance for driver/motorcycle rider education schools and instructors, new and used automobile dealers, equipment, light trailer, trailer and motorcycle dealers, vehicle auctions and recyclers.

The detectives are uniquely trained, qualified and authorized to pursue regulatory compliance, and bring to prosecution, crimes under motor vehicle and criminal law. Responsibilities include, but are not limited to, the following: licensing, regulation and enforcement of laws concerning various types of vehicle dealers and recyclers, title fraud, odometer fraud, automobile identification, auto theft investigations, registration evasion, insurance fraud, consumer complaints and driver license and state identification card fraud.

Statistical information compiled by this section shows that 4,262 cases were assigned and 4,400 were closed out for 2020.

In 2020, this unit returned \$107,553.49 to automobile consumers in the form of restitution. This section recovered \$183,950.00 in property. This section also collected \$28,676.59 in bad checks and agency fees.

Thank you and I would be happy to answer any questions from the committee.