

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND THIRTEENTH LEGISLATURE

FIRST SPECIAL SESSION

October 9, 1987 to October 10, 1987

SECOND SPECIAL SESSION

October 21, 1987 to November 20, 1987

and the

SECOND REGULAR SESSION

January 6, 1988 to May 5, 1988

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Twin City Printery
Lewiston, Maine
1988

PUBLIC LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE
FIRST AND SECOND SPECIAL SESSIONS
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1987

the Department of Transportation by general order. The department may exempt that crossing after providing written notice within 30 days to the railroad and municipality in which the crossing is located or, after hearing, if requested within 30 days either by the railroad, municipality or 10 or more residents of the State. For each exempt crossing, the department may order and impose safety provisions as it deems expedient or necessary. For any exempt crossing that does not have automatic warning devices, the engineer shall stop the train prior to entering the crossing, and a member of the train crew shall stop all motor vehicle traffic prior to flagging the train through the crossing. For an exempt crossing with automatic warning devices, the engineer shall stop the train prior to entering the crossing and determine that all motor vehicle traffic has come to a stop prior to proceeding. Any exempt crossing shall be posted with appropriate signs which shall be erected and maintained by the department; or

Effective August 4, 1988.

CHAPTER 676

H.P. 1812 — L.D. 2480

AN ACT to Regulate the Hiring of School Bus Drivers.

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 17 MRSA §2872, as enacted by PL 1985, c. 538, §1, is amended to read:

§2872. Employees transporting minors

No person may be employed in any preschool facility in any capacity which involves the transporting of minors by means of motor vehicle unless if the person, prior to commencement of that employment, submits to the facility a certified copy of his driving record indicating the nature and date of any adjudication or conviction for has been convicted of a violation of Title 29, former section 1312, subsection 10; section 1312-B or 1312-C; or Title 15, section 3103, subsection 1, paragraph F, for within the preceding 3-year 6-year period. The copy shall be submitted prior to employment. If the record indicates that such an adjudication or conviction has occurred, that person may not be employed by the facility for the transportation of minors for 3 years from the date of his last conviction. The person shall bear the cost of the certified copy.

Sec. 2. 29 MRSA §2013, sub-§1, ¶B, as repealed and replaced by PL 1973, c. 780, §4, is amended to read:

B. Must be at least 18 21 years of age and has held an operator's license for at least one year. The minimum age of 21 years does not apply to school bus operators licensed under this section as of March 15, 1988;

Sec. 3. 29 MRSA §2013, sub-§1, ¶E, as amended by PL 1985, c. 191, §3, is further amended to read:

E. Must pass an examination as the Secretary of State shall prescribe to determine his ability to operate the specific vehicle which will be driven as a school bus or any comparable type vehicle. A fee of \$8 shall accompany the initial application for the examination. The fee for subsequent examinations shall be \$5; and

Sec. 4. 29 MRSA §2013, sub-§1, ¶F, as enacted by PL 1979, c. 685, §1, is amended to read:

F. Shall not be a habitual offender, as defined in section 2292; and

Sec. 5. 29 MRSA §2013, sub-§1, ¶G is enacted to read:

G. Shall not have been convicted of a violation of former section 1312, subsection 10; section 1312-B; former section 1312-C; or Title 15, section 3103, subsection 1, paragraph F, within the preceding 6-year period.

Effective August 4, 1988.

CHAPTER 677

H.P. 1759 — L.D. 2408

AN ACT to Amend the Cosmetology Laws.

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 32 MRSA §1551, sub-§4, ¶A, as amended by PL 1987, c. 395, Pt. A, §144, is further amended to read:

A. Applying the hands or mechanical or electrical apparatus with or without cosmetic preparations, tonics, lotions, creams, antiseptics or clays to massage, cleanse, stimulate, manipulate, exercise or otherwise to improve or to beautify the scalp, face, neck, shoulders, arms, hands, legs or feet or to manicure the fingernails or toenails of any person;

Sec. 2. 32 MRSA §1551, sub-§7 is enacted to read:

7. Aesthetician or aesthetics operator. "Aesthetician" or "aesthetics operator" means any person who, for compensation, engages in any one or a combination of the following practices, aesthetics or cosmetic skin care:

A. Applying the hands or mechanical or electrical apparatus with or without cosmetic preparations, tonics, lotions, creams, antiseptics or clays to massage, cleanse, stimulate, wax, tone, exercise or otherwise improve or beautify the body of any person;