

# MAINE STATE LEGISLATURE

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L.D. 1938  
(Filing No. S-451)

STATE OF MAINE  
SENATE  
108TH LEGISLATURE  
SECOND REGULAR SESSION

SENATE AMENDMENT "B" to H.P. 1884, L.D. 1938, Bill, "AN ACT to Repeal Mandatory Eye Tests for the Renewal of Driver's Licenses for all Persons over 40."

Amend the bill by striking out all of the title and inserting in its place the following: 'AN ACT Establishing Vision Test Requirements for Driver License Renewals.'

Further amend the bill by striking out all of the emergency preamble.

Further amend the bill by striking out everything after the enacting clause and before the statement of fact, and inserting in its place the following:

'Sec. 1. 29 MRSA §545, as repealed and replaced by PL 1977, c. 212, §4 and by PL 1977, c. 558, §1, is repealed.

Sec. 2. 29 MRSA §545-A is enacted to read:

§545-A. Vision test requirements

1. Definition. For the purposes of this section, the term "license" means a motor vehicle operator's license.

2. Requirement for certain persons between the age of 40 and 65. Every person who has not attained his 40th birthday by September 1, 1978, shall, at the time he first renews his license after he has

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become 40 years old, pass the vision portion of a driver's examination. He shall, in addition, at the time of every 3rd renewal of his license after this first renewal, pass the vision portion of a driver's examination until he has attained his 65th birthday at which time he shall be subject to subsection 5.

3. Transition for persons between 40 and 52 years of age on September 1, 1978. Every person who, on September 1, 1978, has attained his 40th birthday but has not attained his 52nd birthday shall only be required to pass the vision portion of a driver's examination for renewal of his license upon the first renewal after he has attained his 52nd birthday and then not again until he is subject to subsection 5.

4. Transition for persons between 52 years and 65 years of age on September 1, 1978. Every person who, on September 1, 1978, has attained his 52nd birthday but has not attained his 65th birthday shall not be required to pass the vision portion of a driver's examination for renewal of his license until he is subject to subsection 5.

5. Persons between 65 and 75 years of age. Any person who has attained his 65th birthday but has not attained his 75th birthday shall pass the vision portion of a driver's license examination before his license may be renewed.

6. Doctor's certificate. Any person required to pass a vision examination under this section may submit an acceptable certificate signed by a doctor, optometrist, registered nurse or other person approved by the Secretary of State, which certificate sets forth the person's visual acuity in each eye, both eyes combined and field of vision. The certificate submitted shall not be accepted if it indicates the vision finding

is based on an examination completed over one year prior to the  
e of application.

7. Exemption for holders of Interstate Commerce Commission  
operator's license. Any person required to pass a vision  
examination under this section who provides satisfactory evidence  
that he has a valid Interstate Commerce Commission operator's  
license issued within the past year need not take the vision  
examination.

Sec. 3. 29 MRSA §545-B is enacted to read:

§545-B. Renewal of motor vehicle operator's licenses for persons 75  
years of age or older

Any person who has attained his 75th birthday shall pass a  
ver's examination before his motor vehicle operator's license  
may be renewed.

Sec. 4. Effective date. This Act shall become effective on  
September 1, 1978.

Statement of Fact

This amendment:

1. Provides that every person who is not yet 40 years old on  
September 1, 1978, shall, the first time he renews his driver's  
license after he has become 40 years old, pass the vision portion of  
a driver's examination before his license may be renewed. In

ition, he must pass a vision test every 3rd renewal thereafter;

2. Provides transitional provisions for persons who are between  
the age of 40 and 65 on September 1, 1978, in the following way:

A. If the person is between 40 and 52, he does not have to  
take a vision test until the first renewal of his driver's  
license after he has become 52 years old; and

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B. If he is between 52 and 65 on September 1, 1978, he does not have to take a vision test until the first renewal of his driver's license after he has become 65 years old;

3. Retains the requirement that any person between 65 and 75 must pass a vision test before his license may be renewed;

4. Reenacts as a separate section the requirement that <sup>any</sup> person 75 years old or older must pass a driver's examination before his license can be renewed;

5. Provides that a recent certificate of visual acuity signed by a doctor, optometrist, registered nurse or other person approved by the Secretary of State may be substituted for the vision test; and

6. Retains the exemption from the vision test for certain I.C.C. license holders.

*Samuel W. Collins Jr.*

(S. Collins)  
NAME:

COUNTY: Knox

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