

# MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

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Legislative Document

No. 143


H.P. 101

House of Representatives, January 25, 1993

**An Act to Establish Physical Qualifications for Insulin-controlled Diabetics and People with Visual Impairments to Operate Commercial Motor Vehicles.**

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Reference to the Committee on Transportation suggested and ordered printed.

  
JOSEPH W. MAYO, Clerk

Presented by Representative BARTH of Bethel.

Cosponsored by Representatives BRUNO of Raymond, PENDEXTER of Scarborough, RYDELL of Brunswick, Senator BRANNIGAN of Cumberland.

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

2                    Sec. 1. 29 MRSA §530-B, sub-§7 is enacted to read:

4                    7. Physical qualifications for drivers. An applicant for a  
6 commercial driver's license who meets all other requirements for  
8 licensure established by law or rule may not be denied the  
license solely because the applicant:

10                    A. Is newly diagnosed or has an established history of  
12 diabetes mellitus requiring insulin for control if that  
14 applicant is certified by the applicant's personal physician  
that the applicant has not had a hypoglycemic reaction or  
loss of consciousness or near loss of consciousness for the  
last 2 years or since the applicant's last physical,  
16 whichever is longer. Such a person must be recertified  
every 6 months by the person's personal physician who must  
18 certify that the patient has not had a hypoglycemic reaction  
during that time; or

20                    B. Has distant visual acuity of at least 20/40 binocular,  
22 as determined by a Snellen test, with or without corrective  
24 lenses and a field of vision of at least 70° in the  
horizontal meridian in each eye, except a monocular driver  
must have distant visual acuity of at least 20/40 with or  
26 without corrective lenses and a field of vision of at least  
70° temporal and at least 35° nasal in the horizontal  
28 meridian of the eye having visual acuity. An applicant  
under this paragraph must have the ability to recognize the  
30 colors of traffic signals and devices showing standard red,  
32 green and amber. Certification of visual acuity and field  
of vision by a licensed optometrist or ophthalmologist must  
34 be submitted at each renewal of the commercial driver's  
license. Operation of a commercial motor vehicle is  
36 permitted intrastate only. Notwithstanding this paragraph,  
visual acuity corrected by use of bioptic or telescopic  
38 devices does not qualify an individual to operate a  
commercial motor vehicle.

40                    STATEMENT OF FACT

42                    This bill establishes standards of physical qualifications  
44 for a commercial driver's license for individuals having visual  
problems in one eye or who are insulin-controlled diabetics.