

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 1426

S.P. 496

In Senate, April 13, 2017

**An Act To Allow the Use of Bioptic or Telescopic Corrective Lenses  
To Meet the Vision Examination Requirements for a Class C  
Driver's License**

(EMERGENCY)

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Reference to the Committee on Transportation suggested and ordered printed pursuant to Joint Rule 218.

Handwritten signature of Heather J.R. Priest in cursive.

HEATHER J.R. PRIEST  
Secretary of the Senate

Presented by Senator VOLK of Cumberland.  
Cosponsored by Senators: COLLINS of York, DION of Cumberland, JACKSON of  
Aroostook, ROSEN of Hancock, Representatives: McLEAN of Gorham, PARRY of Arundel.

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**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, unlike in some other states, current law in Maine prevents the use by drivers of bioptic or telescopic corrective lenses when testing for their driver's licenses; and

Whereas, the inability to obtain a driver's license in Maine causes extreme hardship; and

Whereas, this legislation authorizes the use of bioptic or telescopic corrective lenses to meet the vision examination requirements for a Class C driver's license; and

Whereas, it is essential that this legislation take effect immediately in order to eliminate extreme hardship; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. 29-A MRSA §1303, sub-§2, ¶A,** as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

A. An acceptable certificate signed by a doctor, optometrist, registered nurse or other person approved by the Secretary of State, setting forth the person's visual acuity in each eye, and both eyes combined and field of vision. For a Class C license application or renewal, a person may use telescopic or bioptic corrective lenses for the purpose of meeting vision examination standards as long as the doctor, optometrist, registered nurse or other person approved by the Secretary of State certifies that the patient's condition does not interfere with the safe operation of a motor vehicle. The certificate must indicate that it is based on an examination completed within one year of the date of application; or

**Sec. 2. Rules.** The Secretary of State shall adopt rules to implement this Act. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

**SUMMARY**

In lieu of a vision test, current law allows a person applying for a driver's license to submit a certificate signed by a doctor, optometrist, registered nurse or other person approved by the Secretary of State attesting to the person's visual acuity and field of vision. This bill allows a person employing this option with regard to a Class C license to

1 use telescopic or bioptic corrective lenses for the purpose of meeting vision examination  
2 standards as long as the doctor, optometrist, registered nurse or person approved by the  
3 Secretary of State certifies that the patient's condition does not interfere with the safe  
4 operation of a motor vehicle.