

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fourth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with the Revised Statutes of 1964, Title 3, Section 164, Subsection 6.

THE KNOWLTON AND MCLEARY COMPANY
FARMINGTON, MAINE
1969

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
ONE HUNDRED AND FOURTH LEGISLATURE
1969

Chapter 256

AN ACT Relating to Solicitation of Eye Services and Appliances.

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

R. S., T. 32, § 2455, additional. Title 32 of the Revised Statutes is amended by adding a new section 2455, to read as follows:

§ 2455. Solicitation

It shall be unlawful for any person, firm, partnership, company or corporation to solicit eye examinations or visual services, or to advertise the sale of eyeglasses, spectacles, lenses, frames, mountings, prisms or any other optical appliances or devices commonly included in the prescriptions of optometrists or physicians by newspaper, radio, window display, television, telephone directory display advertisement or any other means of advertisement; or to use any method or means of baiting, persuading or enticing the public into buying eyeglasses, spectacles, lenses, frames, mountings, prisms or other optical appliances or devices for visual correction. This section shall not render any advertising media liable for publishing any advertising furnished them by a vendor of said commodity or material; nor shall anything in this section prevent ethical educational publicity or advertising by legally qualified health groups that does not violate presently existing laws of Maine, nor prevent the proper use of ethical professional notices. Nothing in this section shall prohibit the advertisement or sale of sunglasses equipped with nonprescriptive lenses, industrial glasses or goggles with nonprescriptive lenses used for industrial eye protection, when sold as merchandise at any established place of business and when the selection of these is at the discretion of the purchaser.

The term "window display" as used in this section shall not prevent the display of ophthalmic frames in windows.

This section is passed in the interest of public health, safety and welfare, and its provisions shall be literally construed to carry out its objects and purposes.

Whoever violates any provision of this section shall be punished for the first offense by a fine of not less than \$50 nor more than \$200, or by imprisonment for not more than 3 months, or by both, or for a subsequent offense, by a fine of not less than \$200 nor more than \$500, or by imprisonment for not less than 3 months, nor more than 6 months, or by both.