

# MAINE STATE LEGISLATURE

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LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE  
One Hundred and Sixth Legislature  
1ST SPECIAL SESSION  
JANUARY 2, 1974 TO MARCH 29, 1974  
AND BY THE  
One Hundred and Seventh Legislature  
REGULAR SESSION  
JANUARY 1, 1975 TO JULY 2, 1975

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN  
ACCORDANCE WITH THE REVISED STATUTES OF 1964, TITLE 3,  
SECTION 164, SUBSECTION 6.

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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1975

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PUBLIC LAWS  
OF THE  
STATE OF MAINE

AS PASSED BY THE  
One Hundred and Sixth Legislature

AT THE  
SPECIAL SESSION

January 2, 1974

to

March 29, 1974

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## CHAPTER 737

### **AN ACT** Relating to Delegation of Selected Services by Professional Nurses.

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

Sec. 1. R. S., T. 32, § 2102, sub-§ 2, ¶ F, additional. Subsection 2 of section 2102 of Title 32 of the Revised Statutes, as amended by chapter 495 of the public laws of 1973, is further amended by adding a new paragraph F to read as follows:

F. Delegation of selected nursing services to unlicensed personnel when such personnel have received appropriate training and instruction and such programs of training and instruction have been approved by the board. Delegation of such services shall not require the personal presence of the delegating professional nurse at the place where such services are performed, unless such personal presence is necessary to provide patient care of the same quality as provided by the professional nurse. The board shall issue such rules and regulations concerning delegation as it deems necessary to insure the highest quality of health care to the patient.

Sec. 2. R. S., T. 32, § 2258-A, amended. Section 2258-A of Title 32 of the Revised Statutes, as enacted by chapter 535 of the public laws of 1973, is amended to read as follows:

#### **§ 2258-A. Administration of medication**

Any employee of any institution under the control of the Department of Mental Health and Corrections or of an institution licensed by the State as a hospital, nursing home, extended care facility or boarding home who, in the exercise of due care, is authorized by the head of such institution or his designee to perform selected activities in the administration of medications and any person who, in the exercise of due care, is delegated such functions by a licensed allopathic or osteopathic physician shall be immune from criminal prosecution and civil liability for any such administration of medication prior to the effective date of this Act June 20, 1973 and until July 1, ~~1974~~ 1975, but not thereafter.

Effective June 28, 1974

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## CHAPTER 738

### **AN ACT** to Correct Errors and Inconsistencies in the Motor Vehicle Laws.

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

Sec. 1. R. S., T. 29, § 107, amended. The first sentence of section 107 of Title 29 of the Revised Statutes, as amended by section 11 of chapter 360 of the public laws of 1971, is further amended to read as follows:

The Secretary of State shall not grant the application of any minor under the age of 18 years for registration of a vehicle unless such application is signed by the father of the applicant, if the father is living and has custody of the

applicant, otherwise by the mother a parent or guardian having the custody of such minor, or in the event a minor under the age of 18 years has no father, mother or guardian, then registration of a vehicle shall not be granted to the minor unless his application therefor is signed by his employer.

**Sec. 2. R. S., T. 29, § 355, amended.** The first sentence of the last paragraph of section 355 of Title 29 of the Revised Statutes, as enacted by section 1 of chapter 529 of the public laws of 1973, is amended to read as follows:

Such record shall at all times be available for inspection by the Secretary of State, or his duly authorized agents or duly authorized members of law enforcement agencies or representatives of the Attorney General's office.

**Sec. 3. R. S., T. 29, § 531, amended.** The first sentence of the 3rd paragraph of section 531 of Title 29 of the Revised Statutes, as enacted by section 2 of chapter 587 of the public laws of 1973, is repealed and the following enacted in place thereof:

On or after January 1, 1974 no operator's license shall be issued by the Secretary of State without an endorsement thereon showing the class of license as described herein.

**Sec. 4. R. S., T. 29, § 531, amended.** The 5th paragraph of section 531 of Title 29 of the Revised Statutes, as enacted by section 2 of chapter 587 of the public laws of 1973, is repealed and the following enacted in place thereof:

Persons holding a valid license to operate motor vehicles on December 31, 1973, and provided that such licenses are not restricted to the operation of motorcycles or motor driven cycles only, may during the term of the license apply to the Secretary of State to have such licenses endorsed "Class 1" or "Class 2" without payment of additional fee and without examination as follows:

**Sec. 5. R. S., T. 29, § 531, sub-§ 1, amended.** Subsection 1 of section 531 of Title 29 of the Revised Statutes, as enacted by section 2 of chapter 587 of the public laws of 1973, is amended to read as follows:

1. **Experience qualification for endorsement.** Application for endorsement for Class 1 or 2 licenses must be submitted on such form as the Secretary of State shall prescribe, accompanied by affidavit of experience from both applicant and employer and past driving record, if any, if such record is not readily available within the records section of the Motor Vehicle Division, or supplying other such information as the Secretary of State shall require to determine whether the applicant has adequate experience for the class applied for.

**Sec. 6. R. S., T. 29, § 531, amended.** The 3rd paragraph from the end of section 531 of Title 29 of the Revised Statutes, as enacted by section 2 of chapter 587 of the public laws of 1973, is repealed and the following enacted in place thereof:

Nothing in this section shall prevent a member of an organized or volunteer fire department from operating any fire apparatus, or any law enforcement officer from operating any motor vehicle or combination of vehicles in the performance of their law enforcement duties, on a "Class 3" operator's license.

Sec. 7. R. S., T. 29, § 531-A, sub-§ 2, repealed and replaced. Subsection 2 of section 531-A of Title 29 of the Revised Statutes, as enacted by section 10 of chapter 245 of the public laws of 1967, is repealed and the following enacted in place thereof:

2. Certain nonresidents. A nonresident who is at least 16 years of age and who has in his immediate possession a valid operator's license issued to him in his home state or country may operate a motor vehicle in this State only as an operator. Any nonresident who has not yet attained his 16th birthday may not operate a motor vehicle in this State.

Sec. 8. R. S., T. 29, § 583, amended. The 3rd paragraph of section 583 of Title 29 of the Revised Statutes, as enacted by chapter 437 of the public laws of 1973, is amended to read as follows:

After September 1, 1975 no motorcycle or motor driven cycle learner's permit or ~~operator's license, or both permission or restriction to operate a motorcycle or motor driven cycle~~ shall be issued to any person under 17 years of age, unless such person shall present a certificate of successful completion of a motorcycle driver education course and examination given by some person or persons licensed by the Secretary of State.

Sec. 9. R. S., T. 29, § 585, amended. The first sentence of section 585 of Title 29 of the Revised Statutes, as amended by section 11 of chapter 245 of the public laws of 1967 and section 5 of chapter 394 of the public laws of 1971, is further amended to read as follows:

The Secretary of State shall not accept the application of any minor under the age of 18 years for an operator's license or instruction permit unless such application is signed by ~~the father of the applicant, if the father is living and has custody of the applicant, otherwise by the mother~~ a parent or guardian having the custody of such minor or by the spouse of such minor provided such spouse is of the age of 18 years or over.

Sec. 10. R. S., T. 29, § 783, sub-§ 2, ¶ A, sub-¶ (2), amended. The last sentence of subparagraph (2) of paragraph A of subsection 2 of section 783 of Title 29 of the Revised Statutes, as repealed and replaced by chapter 201 of the public laws of 1971 and as amended by section 6 of chapter 469 of the public laws of 1973, is repealed.

Sec. 11. R. S., T. 29, § 783, sub-§ 6, amended. The 2nd sentence of subsection 6 of section 783 of Title 29 of the Revised Statutes, is amended to read as follows:

If the aggrieved or injured person or his legal representative shall not have brought an action within one year from the date of the accident, then the Secretary of State, ~~upon receiving reasonable evidence of the fact~~ may, subject to the other requirements of the law, issue to such person a new license to operate and new registration certificates and registration plates, provided he shall give and thereafter maintain proof of financial responsibility.