

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND ELEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 1982 to June 24, 1983
Chapters 1-452

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

J.S. McCarthy Co., Inc.
Augusta, Maine
1983

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

compensation. Compensation paid to a part-time deputy for serving as a court officer shall not be included in the ~~\$4,000~~ \$6,000 limitation on compensation.

Effective September 23, 1983.

CHAPTER 162

H.P. 367 - L.D. 598

AN ACT Relating to the Nonliability of
Physicians or Other Persons who Voluntarily
Report Physical or Mental Impairments of
Licensees to the Secretary of State.

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

29 MRSA §547, as amended by PL 1975, c. 293, §4, is repealed and the following enacted in its place:

§547. Medical Advisory Board

1. Board. There shall be a Medical Advisory Board, serving without pay, consisting of members appointed by the Secretary of State. The board shall include, but not be limited to, physicians licensed to practice in the State representing the specialties of cardiology, internal medicine, neurology or neurological surgery, ophthalmology, psychiatry, family practice and rehabilitative medicine. The Secretary of State shall designate the chairman of the board. The board shall meet at least annually and may hold as many meetings as it deems necessary to fulfill its responsibilities.

2. Duties. The duties of the board shall be as follows.

A. The board shall advise the Secretary of State on written medical and vision standards relating to the licensing of drivers under this Title. Standards shall be adopted pursuant to Title 5, chapter 375, subchapter II.

B. The Secretary of State, having cause to believe that a licensed driver or applicant may not be physically or mentally qualified to be licensed, may obtain the advice of the board, any of its individual members or other medical or paramedical professionals licensed or certified in their medical specialties. The board may

formulate its advice from records and reports or may cause an examination and report to be made by one or more members of the board or any other qualified person it may designate. The licensed driver or applicant under review may cause a written report to be forwarded to the board by a person of his choice and it shall be given due consideration by the board. The Secretary of State may request the board to interview in person any licensed driver or applicant whose ability to operate a motor vehicle safely cannot be ascertained through written reports or records. Any person under review who refuses to submit to an examination or consent to provide information, or both, as requested by the Secretary of State may be considered incompetent to drive a motor vehicle until such time as the individual complies with the requests and the board has made its recommendations to the Secretary of State.

C. The board shall coordinate efforts to orient the general physician population as well as the public, in the medical aspects of driver licensure.

D. The Secretary of State shall have the responsibility to request written medical reports and who shall receive records, testimony, recommendations and reports of the board and to determine the competency of any person to operate a motor vehicle.

3. Nonliability. Any physician or other person who becomes aware of a physical, mental or emotional impairment which appears to present an imminent threat to driving safety and reports this information to the office of the Secretary of State through its agents in good faith shall have immunity for any damages claimed as a result of so doing.

4. Confidentiality. Reports received or made by the board, or its members, for the purposes of assisting the Secretary of State in determining whether a person is qualified to be licensed, are for the confidential use of the board or the Secretary of State.

These reports may not be divulged to any agency, institution or person except to the applicant or licensed driver under review, unless the individual gives written permission.

Effective September 23, 1983.
