

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

**FIRST REGULAR SESSION**

December 5, 1984 to June 20, 1985

Chapters 1-384

PUBLISHED BY THE REVISOR OF STATUTES IN ACCORDANCE WITH  
MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 163-A,  
SUBSECTION 4.

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J.S. McCarthy Co., Inc.  
Augusta, Maine  
1986

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION

of the  
ONE HUNDRED AND TWELFTH LEGISLATURE

1985

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## CHAPTER 296

S.P. 486 - L.D. 1314

### AN ACT to Facilitate Detection of Drivers Operating Under the Influence of Intoxicating Liquor or Drugs.

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

Sec. 1. 29 MRSA §1312-E is enacted to read:

§1312-E. Optional reporting of drivers operating under the influence of intoxicating liquor or drugs

The following provisions shall govern the optional reporting of drivers suspected of operating under the influence of intoxicating liquor or drugs.

1. Persons who may report. If, while acting in his professional capacity, a medical or osteopathic physician, resident, intern, emergency medical technician, medical examiner, physician's assistant, dentist, dental hygienist, dental assistant or registered or licensed practical nurse knows or has reasonable cause to suspect that a person has been operating a motor vehicle while under the influence of intoxicating liquor or drugs or a combination of liquor and drugs within the meaning of this subchapter, and that motor vehicle has been involved in an accident, he may immediately report or cause a report to be made to a law enforcement official.

2. Immunity from liability. A person participating in good faith in reporting under this section, or in participating in a related proceeding, is immune from any criminal or civil liability for the act of reporting or participating in the proceeding. Nothing in this section may be construed to bar criminal or civil action regarding perjury. In a proceeding regarding immunity from liability, there shall be a rebuttable presumption of good faith.

3. Privileged or confidential communications. The physician-patient privileges under the Maine Rules of Evidence and the confidential quality of communication under Title 24-A, section 4224, and Title 32, section 1092-A, are abrogated in relation to required reporting or other proceeding.

Sec. 2. 32 MRSA §1092-A, sub-§4, ¶D is enacted to read:

D. There is no privilege under this section as to disclosure of information concerning a patient when that disclosure is required by law and nothing in this section may modify or affect the provisions of Title 22, sections 4011 to 4015 and Title 29, section 1312-E.

Effective September 19, 1985.

## CHAPTER 297

H.P. 1107 - L.D. 1596

### AN ACT Concerning Temporary Licenses for Members of the Armed Forces.

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

32 MRSA c. 1-A is enacted to read:

#### CHAPTER 1-A

#### GENERAL PROVISIONS

#### SUBCHAPTER I

#### GENERAL PROVISIONS CONCERNING LICENSES

#### §59. Temporary licenses

If a person holds a valid license issued by an occupational or professional licensing board established in Title 5, section 12004, subsection 1, paragraph A, at the time of his initial enlistment in the United States Armed Forces and the license lapses during the licensee's initial enlistment, that person may obtain a temporary license if he meets all requirements for issuance of that license except examination by payment of a \$5 fee, provided that his application for the temporary license is made not later than 90 days after the date of his discharge. This temporary license shall continue in force until the results of the next licensing examination are available. The terms of this section shall apply notwith-