

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

SECOND SPECIAL SESSION
September 5, 1996 to September 7, 1996

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 4, 1996 to March 27, 1997

FIRST SPECIAL SESSION
March 27, 1997 to June 20, 1997

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 26, 1997

FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 1997

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

J.S. McCarthy Company
Augusta, Maine
1997

CHAPTER 115**H.P. 92 - L.D. 116****An Act to Amend the Law Regarding
Fog Lights****Be it enacted by the People of the State of
Maine as follows:**

Sec. 1. 29-A MRSA §2067, sub-§2, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

2. Dimming. When a vehicle equipped with multiple-beam road lights approaches an oncoming vehicle within 500 feet or follows a vehicle within 300 feet, the operator shall dim the headlights or switch to a low beam and shall turn off a fog or auxiliary light allowed by section 2054, subsection 2, paragraph E that exceeds 20,000 candlepower.

See title page for effective date.

CHAPTER 116**S.P. 45 - L.D. 155****An Act to Amend the Laws
Regarding Hunting from a Public
Paved Way****Be it enacted by the People of the State of
Maine as follows:**

Sec. 1. 12 MRSA §7406, sub-§7, as amended by PL 1993, c. 212, §1, is further amended to read:

7. Hunting from or across a public paved way. A person is guilty of hunting from or across a public paved way if that person hunts any wild animal or wild bird from any public paved way or within 10 feet of the edge of the pavement of the public paved way or from within the right-of-way of any controlled access highway or discharges any firearm across a public paved way. Nothing in this subsection prohibits a person who has a valid permit to carry a concealed weapon from possessing such a weapon on or near a public paved way as long as it is not used for hunting wild animals or wild birds or discharged in violation of this subsection.

Sec. 2. 12 MRSA §7946, as amended by PL 1993, c. 212, §2, is further amended to read:

§7946. Possession of firearm on public paved way

Possession of a loaded firearm on a public paved way or within 10 feet of the edge of the pavement of a

public paved way or within the right-of-way of any controlled access highway, except as provided in section 7406, subsection 7, is prima facie evidence of hunting.

See title page for effective date.

CHAPTER 117**S.P. 78 - L.D. 217****An Act to Amend the Optometry
Licensing Laws and to Allow Maine
Citizens to Fill Contact Lens
Prescriptions through the Mail****Be it enacted by the People of the State of
Maine as follows:**

Sec. 1. 32 MRSA §2417, sub-§4-A, as amended by PL 1993, c. 600, Pt. A, §146, is further amended to read:

4-A. Release of contact lens prescription. After contact lenses have been adequately fitted and the patient released from immediate follow-up care by the optometrist, the patient may request a copy of the contact lens specifications from the optometrist. Upon patient request, the optometrist shall provide a copy of the prescription, at no cost, which must contain the information necessary to properly duplicate the current prescription. The contact lens prescription must contain an expiration date not to exceed 24 months from the date of issue. The prescription may contain fitting guidelines and may also contain specific instructions for use by the patient.

The prescribing optometrist is not liable for an injury or condition to a patient that results from negligence in packaging, manufacturing or dispensing lenses by anyone other than the prescribing optometrist.

The dispensing party may dispense contact lenses only upon receipt of a written prescription, except that an optometrist may fill a prescription of another optometrist or a physician without a copy of the prescription. ~~Except in the case of a physician who has previously seen the wearer, a contact lens prescription may not be filled by mail but must be filled by being personally dispensed to the contact lens wearer.~~ Mail order contact lens suppliers must be licensed by and register with the Board of Commissioners of the Profession of Pharmacy pursuant to section 13751, subsection 3-A and are subject to discipline by that board for violations of that board's rules and the laws governing the board. An individual who fills a contact lens prescription shall maintain a file of that prescription for a period of 6 ½ years. An individual, corporation or other entity, other than a mail order contact lens supplier, that improperly fills a contact lens prescrip-