

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTIETH LEGISLATURE**

**FIRST SPECIAL SESSION**  
**November 13, 2002 to November 14, 2002**

**ONE HUNDRED AND TWENTY-FIRST LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 4, 2002 to June 14, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**FEBRUARY 13, 2003**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 13, 2003**

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

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2003**

- (3) A medical examiner;
- (4) A physician's assistant;
- (5) A dentist;
- (6) A chiropractor;
- (7) A podiatrist;
- (8) A registered or licensed practical nurse;
- (9) A certified nursing assistant;
- (10) A social worker;
- (11) A psychologist;
- (12) A pharmacist;
- (13) A physical therapist;
- (14) A speech therapist;
- (15) An occupational therapist;
- (16) A mental health professional;
- (17) A law enforcement official;
- (18) A coroner;
- (19) Emergency room personnel;
- (20) An ambulance attendant;
- (21) An emergency medical technician; ~~or~~
- (22) Unlicensed assistive personnel; or
- (23) A humane agent employed by the Department of Agriculture, Food and Rural Resources; or

**Sec. 2. 22 MRSA §4011-A, sub-§1, ¶A**, as enacted by PL 2001, c. 345, §5, is amended to read:

A. When acting in a professional capacity:

- (1) An allopathic or osteopathic physician, resident or intern;
- (2) An emergency medical services person;
- (3) A medical examiner;
- (4) A physician's assistant;
- (5) A dentist;
- (6) A dental hygienist;
- (7) A dental assistant;
- (8) A chiropractor;

- (9) A podiatrist;
- (10) A registered or licensed practical nurse;
- (11) A teacher;
- (12) A guidance counselor;
- (13) A school official;
- (14) A children's summer camp administrator or counselor;
- (15) A social worker;
- (16) A court-appointed special advocate or guardian ad litem for the child;
- (17) A homemaker;
- (18) A home health aide;
- (19) A medical or social service worker;
- (20) A psychologist;
- (21) Child care personnel;
- (22) A mental health professional;
- (23) A law enforcement official;
- (24) A state or municipal fire inspector;
- (25) A municipal code enforcement official;
- (26) A commercial film and photographic print processor;
- (27) A clergy member acquiring the information as a result of clerical professional work except for information received during confidential communications; ~~or~~
- (28) A chair of a professional licensing board that has jurisdiction over mandated reporters; or
- (29) A humane agent employed by the Department of Agriculture, Food and Rural Resources; or

See title page for effective date.

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**CHAPTER 146**

**H.P. 543 - L.D. 737**

**An Act To Clarify Inspection Standards Related to Vehicle Wheel Size**

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

**Sec. 1. 29-A MRSA §1917**, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

**§1917. Tires and wheels**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Tread depth" means the amount of tread design on the tire. "Tread depth" includes original, retread and recap tread design and, in respect to a special mileage commercial tire, recut, regrooved and siped tread design.

B. "Special mileage commercial tire" means a tire manufactured with an extra layer of rubber between the cord body and original tread design, which extra layer is designed for the purpose of recutting or regrooving, and which tire is specifically labelled as a "special mileage commercial tire."

**2. Safe tires required.** A motor vehicle may not be operated on a public way unless it is equipped with tires in safe operating condition. A tire mounted on a motor vehicle is not considered to be in safe operating condition unless it meets the visual and tread depth requirements set forth in subsections 3 and 4 and the wheel size requirements in subsection 6. A vehicle may be equipped only with tires that meet or exceed the load and speed rating of the original equipment tires.

**3. Visual requirements.** A tire is not in safe operating condition if that tire has:

- A. A fabric break or a cut in excess of one inch in any direction as measured on the outside of the tire and deep enough to reach the body cords;
- B. A temporary repair by the use of blowout patches or boots;
- C. A bump, bulge or knot related to separation or partial failure of the tire structure;
- D. A portion of the ply or cord structure exposed; or
- E. Sidewalls damaged to the extent that the body cords are damaged.

**4. Tread depth.** A tire is not in safe operating condition if it is worn to the point where less than 2/32 inch of tread design remains at all points at which gauge readings are required. Tread depth must be measured as follows.

A. Tire tread depth must be measured by a tread depth gauge that is calibrated in 1/32 inch.

B. Readings must be taken in 2 adjacent major tread grooves at 2 points in each of the grooves not closer than 15 inches.

C. Readings for a tire that has the tread design running across the tire or for a siped tire must be taken at or near the center of the tire at 2 points of the circumference not closer than 15 inches.

**5. Exemptions.** A farm vehicle used exclusively for agricultural purposes, including, but not limited to, a self-propelled combine, self-propelled corn and hay harvesting machine or tractor used exclusively for agricultural purposes, is exempt from this section.

**6. Wheels.** If the rim size has been altered, the overall diameter of the wheel with the tire must be within the vehicle manufacturer's specifications.

See title page for effective date.

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**CHAPTER 147**

**S.P. 283 - L.D. 804**

**An Act To Amend the Standard Water District Enabling Act**

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

**Sec. 1. 35-A MRSA §6401, sub-§2, ¶A**, as enacted by PL 1995, c. 616, §10, is amended to read:

A. The following provisions apply to all water districts, regardless of when chartered, and any portion of a water district charter that is contrary to the provisions is void and of no effect:

- (1) Section 6410, subsection 7; ~~and~~
- (2) Section 6410, subsection 8; ~~;~~
- (3) Section 6413-A; and
- (4) Section 6414-A.

**Sec. 2. 35-A MRSA §6410, sub-§§1 and 7**, as enacted by PL 1995, c. 616, §10, are amended to read:

**1. Standard districts; nominations and elections; vacancies.** Nominations and elections of trustees are conducted in accordance with the laws relating to municipal elections.