

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE

FIRST SPECIAL SESSION
September 27, 2011

SECOND REGULAR SESSION
January 4, 2012 to May 31, 2012

THE EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
LAWS IS
SEPTEMBER 28, 2011

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 30, 2012

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

Augusta, Maine
2012

CHAPTER 493
H.P. 1226 - L.D. 1636

**An Act To Extend Certain
Insurance Protection to
Emergency Responders**

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

Sec. 1. 24-A MRSA §2174-B, as amended by PL 1997, c. 114, §1, is further amended to read:

§2174-B. Law enforcement officers' and emergency responders' insurance rates

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

A. "Law enforcement officer" means any person employed by a governmental entity who by virtue of that employment is vested by law with a duty to investigate and prosecute violators of the laws of this State and to arrest the offenders of the laws.

B. "Emergency responder" means:

(1) A municipal firefighter, as defined in Title 30-A, section 3151, subsection 2; or a volunteer firefighter, as defined in Title 30-A, section 3151, subsection 4, who is operating a municipal vehicle; or

(2) An operator of a vehicle under Title 29-A, section 2054 that is licensed or authorized pursuant to Title 32, chapter 2-B as an ambulance or emergency medical services vehicle, when that operator is acting with the approval of an ambulance service or nontransporting service licensed pursuant to Title 32, chapter 2-B.

2. Law enforcement officers; emergency responders. ~~No~~ An insurer may not increase the premium for a personal insurance policy providing motor vehicle liability or collision insurance to a law enforcement officer or an emergency responder on the basis of one or more accidents involving a motor vehicle operated by the officer or emergency responder if:

A. The accident occurred while the officer or emergency responder was operating a motor vehicle in the course and scope of employment; and

B. There is a policy of insurance other than the personal policy providing motor vehicle liability or collision coverage for the accident or accidents.

3. Governmental entity. This section in no way restricts the premium an insurer may charge a governmental entity for an insurance policy providing motor vehicle liability or collision insurance covering law enforcement officers or emergency responders.

4. Penalty. An insurer who violates this section commits a civil violation pursuant to section 12-A.

See title page for effective date.

CHAPTER 494
S.P. 578 - L.D. 1679

**An Act To Conform Maine's
Prescription Drug Privacy
Laws with the United States
Constitution**

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

Sec. 1. 22 MRSA §1711-E, sub-§1-A, as enacted by PL 2007, c. 460, §1, is repealed.

Sec. 2. 22 MRSA §1711-E, sub-§1-B, as amended by PL 2011, c. 461, §1, is repealed.

Sec. 3. 22 MRSA §1711-E, sub-§2, as amended by PL 2007, c. 460, §1, is further amended to read:

2. Confidentiality of prescription drug information that identifies the individual. A carrier or prescription drug information intermediary may not license, use, sell, transfer or exchange for value, for any marketing purpose, prescription drug information that identifies directly or indirectly the individual who is prescribed the prescription drug.

Sec. 4. 22 MRSA §1711-E, sub-§2-A, as enacted by PL 2007, c. 460, §1, is repealed.

Sec. 5. 22 MRSA §1711-E, sub-§3, as amended by PL 2007, c. 460, §1, is further amended to read:

3. Enforcement. A violation of subsection 2 ~~or 2-A~~ is a violation of the Maine Unfair Trade Practices Act.

Sec. 6. 22 MRSA §1711-E, sub-§4, as enacted by PL 2007, c. 460, §1, is repealed.

Sec. 7. 22 MRSA §8704, sub-§4, as amended by PL 2007, c. 460, §2, is further amended to read:

4. Rulemaking. The board shall adopt rules necessary for the proper administration and enforcement of the requirements of this chapter ~~and to carry out the duties of the organization under section 1711-E, subsection 4 and section 8713~~. All rules must be adopted in accordance with Title 5, chapter 375 and unless otherwise provided are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 8. 22 MRSA §8704, sub-§7, as amended by PL 2007, c. 460, §3, is further amended to read: