

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 3, 2014 to July 16, 2015**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**OCTOBER 15, 2015**

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

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**Augusta, Maine**  
**2015**

The person with the permanent disability shall prove by a preponderance of the evidence that the person's disability is permanent.

For purposes of this paragraph, "noncommercial vehicle" means a motor vehicle as defined in Title 29-A, section 101, subsection 42 with a gross vehicle weight of no more than 6,000 pounds, bearing a disability registration plate issued pursuant to Title 29-A, section 521 and owned by the person with the permanent disability.

The board may impose conditions on the variance granted pursuant to this subsection.

All medical records submitted to the board and any other documents submitted for the purpose of describing or verifying a person's disability are confidential.

For purposes of this subsection, "disability" has the same meaning as a physical or mental disability under Title 5, section 4553-A.

**Sec. 2. 30-A MRSA §4353-A**, as enacted by PL 2013, c. 186, §2, is amended by adding after the first paragraph a new paragraph to read:

All medical records submitted to the code enforcement officer and any other documents submitted for the purpose of describing or verifying a person's disability are confidential.

See title page for effective date.

## CHAPTER 153

### H.P. 149 - L.D. 206

#### An Act To Clarify Restrictions on Disclosure of E-9-1-1 System Information

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

**Sec. 1. 25 MRSA §2929, sub-§1**, as amended by PL 2011, c. 623, Pt. D, §1, is further amended to read:

**1. Definition.** As used in this section, "confidential information" means the following information as contained in any database, report, audio recording or other record of the bureau or a public safety answering point:

- A. The names, addresses and telephone numbers of persons listed in E-9-1-1 databases;
- B. Names, addresses and telephone numbers that are omitted from a telephone utility directory list at the request of a customer;
- C. ~~The name, address and telephone number Personally identifying information~~ of a caller to a public safety answering point; ~~or~~

~~D. The name, address and telephone number Personally identifying information~~ of and any medical information about a person receiving emergency services through the E-9-1-1 system; ~~or~~

E. Personally identifying information of any 3rd party, including, but not limited to, a minor, given during a telephone call to a public safety answering point.

For the purposes of this subsection, "personally identifying information" means any information that directly or by reasonable inference might disclose the identity of or personal information about a specific person or persons, including, but not limited to, a person's name, home address, telephone number, mailing address, e-mail address, date of birth, physical residence location, approximate physical location, global positioning system coordinate location information and social security number. "Personally identifying information" does not include the name, title, official agency contact information or, when applicable, official agency identifying number of a public employee involved in a response to an emergency call in the course of carrying out the public employee's official duties.

For the purposes of this subsection, "medical information" includes, but is not limited to, any information revealing or concerning a person's injury or injuries, physical health status, mental health status, medication use, medical history or medical treatment.

**Sec. 2. 25 MRSA §2929, sub-§2, ¶B**, as enacted by PL 1997, c. 291, §3, is amended to read:

~~B. A public safety answering point may disclose confidential information to a law enforcement officer or law enforcement agency criminal justice agency, as defined in Title 16, section 803, subsection 4, for the purpose purposes of eriminal investigations the administration of criminal justice, as defined in Title 16, section 803, subsection 2, and the administration of juvenile justice, as defined in Title 15, section 3308-A, subsection 1, paragraph A, related to an E-9-1-1 call;~~

**Sec. 3. 25 MRSA §2929, sub-§4, ¶¶B and C**, as enacted by PL 1997, c. 291, §3, are amended to read:

~~B. To a law enforcement officer or law enforcement agency criminal justice agency, as defined in Title 16, section 803, subsection 4, for the purpose purposes of eriminal investigations the administration of criminal justice, as defined in Title 16, section 803, subsection 2, and the administration of juvenile justice, as defined in Title 15, section 3308-A, subsection 1, paragraph A, related to an E-9-1-1 call;~~

C. To designees of the bureau director for the purpose of system maintenance and quality control; ~~and~~

**Sec. 4. 25 MRSA §2929, sub-§4, ¶C-1** is enacted to read:

C-1. To a person accused of a crime or that person's agent or attorney for trial and sentencing purposes if authorized by:

(1) The responsible prosecutorial office or prosecutor; or

(2) A rule or order of a court of competent jurisdiction.

As used in this paragraph, "agent" means a licensed professional investigator or an expert witness, or a parent, foster parent or guardian if the accused person has not attained 18 years of age; and

See title page for effective date.

**CHAPTER 154**

**H.P. 181 - L.D. 263**

**An Act To Provide a Minor with a Defense to Prosecution in a Situation That Involves Risk of Alcohol Overdose**

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

**Sec. 1. 28-A MRSA §2051, sub-§6** is enacted to read:

**6. Defense.** It is a defense to prosecution under subsection 1 if in a situation that involved risk to the minor or to another person of overdose from the consumption of alcohol, including but not limited to extreme physical illness, decreased level of consciousness, respiratory depression, coma, mania or death from the consumption of alcohol:

A. The minor in good faith sought medical or emergency treatment or assistance for the minor or the other person; or

B. The minor was the person for whom medical or emergency treatment or assistance was sought and the evidence of the violation of this section is obtained as a result of a person contacting emergency medical services or law enforcement.

This subsection does not provide a defense to a charge of operating a motor vehicle while under the influence of alcohol.

**Sec. 2. 28-A MRSA §2087, sub-§3** is enacted to read:

**3. Defense.** It is a defense to prosecution under subsection 1 if in a situation that involved risk to the minor or to another person of overdose from the consumption of alcohol, including but not limited to ex-

treme physical illness, decreased level of consciousness, respiratory depression, coma, mania or death from the consumption of alcohol:

A. The minor in good faith sought medical or emergency treatment or assistance for the minor or the other person; or

B. The minor was the person for whom medical or emergency treatment or assistance was sought and the evidence of the violation of this section is obtained as a result of a person contacting emergency medical services or law enforcement.

This subsection does not provide a defense to a charge of operating a motor vehicle while under the influence of alcohol.

See title page for effective date.

**CHAPTER 155**

**H.P. 327 - L.D. 488**

**An Act To Expand the Scope of Practice for Denturists**

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

**Sec. 1. 32 MRSA §1081, sub-§2, ¶E**, as amended by PL 2007, c. 620, Pt. C, §2, is further amended to read:

E. The filling of prescriptions of a licensed dentist by any person, association, corporation or other entity for the construction, reproduction or repair of prosthetic dentures, bridges, plates or appliances to be used or worn as substitutes for natural teeth, ~~provided that~~ as long as this person, association, corporation or other entity does not solicit nor advertise, directly or indirectly, by mail, card, newspaper, pamphlet, radio or otherwise, to the general public to construct, reproduce or repair prosthetic dentures, bridges, plates or other appliances to be used or worn as substitutes for natural teeth; and

**Sec. 2. 32 MRSA §1081, sub-§2, ¶G**, as amended by PL 2007, c. 620, Pt. C, §3, is further amended to read:

G. The taking of impressions by dental hygienists, independent practice dental hygienists or dental assistants for study purposes only; ~~and.~~

**Sec. 3. 32 MRSA §1081, sub-§2, ¶H**, as enacted by PL 2007, c. 620, Pt. C, §4, is repealed.

**Sec. 4. 32 MRSA §1081, sub-§7** is enacted to read:

**7. Exceptions.** Practice by an independent practice dental hygienist licensed pursuant to subchapter