



130th MAINE LEGISLATURE

FIRST SPECIAL SESSION-2021

Legislative Document

No. 1398

H.P. 1032

House of Representatives, April 7, 2021

**An Act To Change Driver's License Requirements for Obstructive
Sleep Apnea**

Received by the Clerk of the House on April 5, 2021. Referred to the Committee on Transportation pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative WADSWORTH of Hiram. (BY REQUEST)

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

2 **Sec. 1. 29-A MRSA §1261** is enacted to read:

3 **§1261. Obstructive sleep apnea**

4 The Secretary of State may not refuse to issue, refuse to renew or suspend a Class C
5 license for the medical reason of obstructive sleep apnea, including because the applicant
6 or holder is nonresponsive or nonadherent to sleep apnea therapy, if the applicant or holder
7 does not have:

8 **1. History.** A history of falling asleep while driving;

9 **2. Recorded accident.** A recorded accident or near miss caused by excessive
10 drowsiness; or

11 **3. Traffic violation.** A traffic violation caused by excessive drowsiness.

12 **SUMMARY**

13 This bill prohibits the Secretary of State from refusing to issue, refusing to renew or
14 suspending a Class C driver's license for the medical reason of obstructive sleep apnea,
15 including because the applicant or holder is nonresponsive or nonadherent to sleep apnea
16 therapy, if the applicant or holder does not have a history of falling asleep while driving, a
17 recorded accident or a near miss caused by excessive drowsiness or a traffic violation
18 caused by excessive drowsiness.