MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 967

H.P. 716 House of Representatives, March 26, 1987 Reference to the Committee on Transportation suggested and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative DIAMOND of Bangor.

Cosponsored by Representatives REEVES of Pittston, MURPHY of Kennebunk and Senator KERRY of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-SEVEN

AN ACT to Promote Public Safety in Maine

2 3	Through the Greater Use of Seat Belts.
4 5	Be it enacted by the People of the State of Maine as follows:
6 7 8	Sec. 1. 29 MRSA §583, as amended by PL 1985, c. 797, §64, is further amended by adding at the end 2 new paragraphs to read:
9 10 11 12 13	It shall be unlawful for any driver or passenger to operate or ride in an approved vehicle while it is being operated for the purpose of driver education, unless those persons are wearing seat belts which are properly adjusted and fastened.
14	Instructors who are certified to teach driver ed-

courses, both in secondary schools and com-

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- mercial driver academies, are responsible for insuring that seat belts are worn by all persons in the
 vehicle. Failure to comply with this provision constitutes a safety violation. The penalty for violating this provision shall result in a 15-day suspension of the driver education teacher's certification
 to act as a qualified instructor.
- 8 Sec. 2. 29 MRSA \$1368-A, as enacted by PL 1965, 9 c. 202, §2, is repealed and the following enacted in 10 its place:

§1368-A. Safety seat belts

11

- 12 Automobiles. It is unlawful for any person to buy, sell, lease, trade or transfer from 13 or to Maine residents an automobile with a model year youn-14 15 than 1969, unless that vehicle is equipped with safety belts in the front seat and in the back seat, 16 the automobile is designed to provide passenger 17 18 space in a back seat.
- 21 §1368-C. Mandatory use of safety belts for all per-22 sons under the age of 18 years in motor ve-23 hicles
- 24 <u>l. Requirements for persons under 18 years of</u>
 25 age to wear seat belts. All persons under the age of
 26 l8 years but who are over the age of 4 years and who
 27 are passengers in a motor vehicle operated on a Maine
 28 highway shall wear a properly adjusted and fastened
 29 seat belt.
- 2. Driver responsible. The authorized driver of the motor vehicle is responsible for insuring that all passengers under the age of 18 years but who are over the age of 4 years are wearing a properly adjusted and fastened seat belt.
- 35 3. Exemptions. This section does not apply to passengers of motor vehicles in Maine under the following conditions:

	1 2 3 4 5 6 7 8 9 10 11	A. A person under the age of 18 years with a physical disabling condition which has been diagnosed and confirmed in writing by a physician. When a physician certifies that a person has a physical disability which prohibits appropriate restraint by a safety belt, the statement of the disabling condition shall indicate the nature of the handicap and the reason for not recommending the use of restraints. A statement of the disabling condition shall be issued by a licensed physician through written prescription and it shall be renewed every 6 months; or
	13 14 15 16	B. Persons under the age of 18 years riding in a motor vehicle which is moving rearward in a driveway or parking lot for the purpose of changing the location or parking the motor vehicle.
	17	§1368-D. Education
	18 19 20 21 22 23 24	The Governor's Highway Safety Committee working with interested parties shall initiate an educational program to encourage compliance with safety belt and safety seat user requirements. This program shall focus on the effectiveness of using restraint devices, the monetary savings and other benefits to the public.
	25	STATEMENT OF FACT
,	26 27 28 29	This bill requires all persons under the age of 18 years to wear seat belts and places responsibility on the authorized driver to ensure that passengers are properly secured.
	30 31 32 33 34 35	Additional provisions are introduced in the laws related to driver education programs in Maine to require the use of seat belts by all persons and responsibility for insuring compliance with this stipulation is placed upon the certified driver education instructor.