

# MAINE STATE LEGISLATURE

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R. of S.

L.D. 1954

(Filing No. S-385 )

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**STATE OF MAINE  
SENATE  
115TH LEGISLATURE  
FIRST REGULAR SESSION**

SENATE AMENDMENT " B " to COMMITTEE AMENDMENT "A" to S.P. 760, L.D. 1954, Bill, "An Act Correcting Errors and Inconsistencies in the Laws of Maine"

Amend the amendment by inserting before the statement of fact the following:

**PART D**

**Sec. D-1. 29 MRSA §1368-C, sub-§1,** as amended by PL 1991, c. 470, is further amended to read:

1. **Persons at least 4 but under 19 years of age.** When a person 4 years of age or older, but less than 19 years of age, is a passenger in a motor vehicle that is required by the United States Department of Transportation to be equipped with seat belts, the operator of the motor vehicle shall have the person or passenger must be properly secured in a seat belt or in a child safety seat that meets the requirements set out in 49 Code of Federal Regulations, Part 571. The failure by the operator of a motor vehicle to ensure that the operator and any passengers are secured by a seat belt or a child safety seat as required by this subsection while the vehicle is being operated is a civil violation punishable as provided in subsection 4.

**Sec. D-2. Effective date.** That section of this Part that amends the Maine Revised Statutes, Title 29, section 1368-C, subsection 1 is effective 90 days after the adjournment of the First Regular Session of the 115th Legislature.'

Further amend the amendment by relettering the Parts and renumbering the sections to read consecutively.

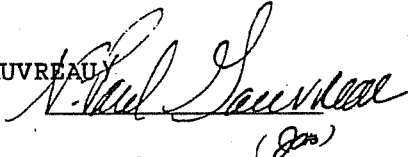
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STATEMENT OF FACT

This amendment to the Errors Bill, L.D. 1954, amends the seat belt law to close a loophole in language approved in Public Law 1991, chapter 470. Public Law 1991, chapter 470 requires all passengers who are at least 4 years of age but under 19 years of age to be secured in a car seat or safety belt. There is no application to drivers under 19 years of age. This amendment makes the requirement apply to operators as well as passengers. This amendment also clarifies that the operator is responsible for making sure those under 19 years of age are secured by a safety belt or car seat. An operator who fails to do so commits a civil violation.

The effective date section makes this provision effective at the same time that nonemergency legislation takes effect.

(Senator GAUVREAU)  
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