

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 644

H.P. 474

House of Representatives, February 11, 2003

**An Act To Assist Low-income Families To Comply with the Booster
Seat Law**

(EMERGENCY)

Reference to the Committee on Transportation suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative CRESSEY of Baldwin.
Cosponsored by Senator SAVAGE of Knox and
Representatives: COLLINS of Wells, MARLEY of Portland, MARRACHÉ of Waterville,
McKENNEY of Cumberland, McNEIL of Rockland, MURPHY of Kennebunk, SULLIVAN
of Biddeford, Senator: GILMAN of Cumberland.

2 **Emergency preamble. Whereas,** Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

4
6 **Whereas,** Public Law 2001, chapter 585, "An Act to Ensure the
Safety of Maine Children While Riding in a Vehicle," imposes a
requirement on seating of children in vehicles, including
8 requiring booster seats and approved child safety seats; and

10 **Whereas,** the purchase of these seats imposes an onerous
financial burden on some Maine families; and

12 **Whereas,** this legislation eliminates some of that burden; and

14
16 **Whereas,** in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
18 necessary for the preservation of the public peace, health and
safety; now, therefore,

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

24 **Sec. 1. 29-A MRSA §2081, sub-§3-B** is enacted to read:

26 3-B. Low-income assistance. The Department of Public
Safety shall provide a federally approved child restraint system
to a qualified low-income person. The Department of Public
28 Safety shall adopt rules to establish the criteria by which a
person may qualify to receive a federally approved child
30 restraint system. This criteria must include household annual
income and the receipt of other state financial assistance.

32 **Sec. 2. 29-A MRSA §2081, sub-§4, ¶D,** as amended by PL 1995, c.
34 597, §3, is further amended to read:

36 D. A violation of subsection 3 or 3-A is a traffic
infraction. The fine for a violation of subsection 3 or 3-A
38 may not be less than \$25 nor more than \$50. The fine for a
violation of subsection 3 may not be imposed until January
40 1, 2004.

42 **Sec. 3. Retroactivity.** This Act applies retroactively to
January 1, 2003.

44 **Emergency clause.** In view of the emergency cited in the
46 preamble, this Act takes effect when approved.

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SUMMARY

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4 This bill provides child booster seats to qualified
6 low-income recipients. It also requires that fines imposed for a
violation of the child booster seat portion of the law not be
imposed until January 1, 2004.