

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-411)
110TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1360, L.D. 1545, Bill, "AN ACT Requiring Motorists to Protect Children in Motor Vehicles by Use of Approved Child Safety Seats."

Amend the bill by striking out all of the title and inserting in its place the following:

'AN ACT to Encourage Motorists to Protect Children in Motor Vehicles by Use of Approved Child Safety Seats.'

Further amend the bill by striking out everything after the enacting clause and inserting in its place the following:

'29 MRSA §1368-B is enacted to read:

§1368-B. Use of approved child safety seats

1. Use of seats. The Legislature finds and declares that in Maine each year motor vehicle accidents are the leading cause of death and a major cause of disability among children under 4 years of age.

A multiplicity of field studies confirm that a majority of serious injuries and deaths would be avoided if child passengers were properly restrained by using child safety seats. Notwithstanding this fact, current seat restraint utilization rates among children are typically less than 10%, making this a promising area for the reduction of deaths and serious injuries among children.

In furtherance of reasonable protective public policies, the Commissioner of Public Safety shall develop and implement a public information and education program designed to encourage seat restraint utilization for children under 4 years of age who are passengers in motor vehicles.

The program shall include, but not be limited to, audiovisual aids and written materials which explain the effects of motor vehicle accidents on infant and child health and the reduction in risk of injury or death as a result of the utilization of seat restraints for infants and children. In addition, the commissioner shall prepare and disseminate radio and television messages, which explain the effects of motor vehicle accidents on infant and child health and urge the use of seat restraints for infants and children.

The commissioner shall also enter into an arrangement with appropriate law enforcement agencies to issue, at their discretion, oral or written safety/^{information} to any person who operates any motor vehicle, or combination of vehicles, if, after the vehicle has been stopped, the law enforcement officer observes that a child under 4 years of age is a passenger and is not restrained by use of an available seat restraint. The law enforcement officers may also advise and urge the utilization of seat restraints that are available in the vehicle, and may further note that even greater protection could be provided by acquiring and properly utilizing separate federally approved child seats.

The commissioner shall conduct a study to ascertain the nature and extent of any reduction in the number and rate of injury and death of children under 4 years of age who are passengers in motor vehicles during the period of the public education campaign.

← The commissioner shall prepare and submit a report to the Legislature, no later than March 1, 1983, containing findings and conclusions regarding the implementation and effectiveness of this section. The report shall also include specific findings and conclusions as to the advisability of further legislation to encourage the use of safety seats and seatbelts for Maine children.

2. Termination. This section shall remain in effect only until June 30, 1983, and as of that date is repealed, unless a later enacted statute deletes or extends this date.⁴

Statement of Fact

This amendment changes the intent of the bill from making non-use of a restraint device for children under 4 years of age a civil violation to charging the Commissioner of Public Safety with authority to conduct a public information and education program on the use of and results from use of restraining devices for children under 4 years of age. The commissioner is also required to report back to the ^{Regular} first session of the 111th Legislature on the effects of the Public Information and Education Program and any suggested new legislation if deemed necessary. The Sunset provision requires the program to end June 30, 1983, unless extended at a later date.

Reported by the Majority of the Committee on Transportation.
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