

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE  
4

5 Legislative Document

No. 231

7 H.P. 189

House of Representatives, January 19, 1983

8 Received by the Clerk of the House on January 19, 1983. Referred to the  
9 Committee on Transportation, and ordered printed pursuant to Joint Rule 14.

10 EDWIN H. PERT, Clerk

Presented by Representative Beaulieu of Portland.

Cosponsor: Representative McCollister of Canton.

11  
12 STATE OF MAINE  
13

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-THREE  
16

17 AN ACT to Prohibit the Use of Headphones  
18 while Operating a Vehicle on a Public  
19 Way.  
20

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

23 29 MRSA §1000 is enacted to read:

24 §1000. Prohibition of use of hearing impairment  
25 devices

26 1. Offense. No person may operate a vehicle on  
27 the highway while wearing or using one or more  
28 headphones, earphones, earplugs or any similar device  
29 which enables the wearer to hear or receive elec-  
30 tronic communications.

31 2. Exceptions. This section does not apply to :

1 A. The use of hearing aids or other devices for  
2 improving the hearing of the driver; or

3 B. The use of hearing protective devices that  
4 are designed to attenuate injurious noise levels,  
5 and to not inhibit the wearer's ability to hear  
6 sirens or motor vehicle horns.

7 3. Penalty. Violation of this section is a  
8 civil violation, for which a forfeiture not to exceed  
9 \$500 may be adjudicated.

10 STATEMENT OF FACT

11 This bill makes it a violation of the motor vehi-  
12 cle laws for a vehicle operator to drive on a public  
13 way while wearing or using headphones or similar  
14 devices.

15 The potential hazards caused by insulating the  
16 driver from important sounds or signals has been  
17 recognized in states such as California, Illinois,  
18 Massachusetts and Pennsylvania, where similar stat-  
19 utes are already in effect.

20 Title 29, section 1961, provides that bicyclists  
21 and others are "subject to all of the duties applica-  
22 ble to the driver of a vehicle," and thus would also  
23 come under the provisions of this measure.

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