

MAINE STATE LEGISLATURE

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L.D. 1072

(Filing No. H-263)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
11TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE OF CONFERENCE AMENDMENT "A" to H.P.
836, L.D. 1072, Bill, "AN ACT to Require the Wearing
of Protective Headgear by All Motorcycle, Motor
Driven Cycle and Moped Riders."

Amend the Bill by in the title striking out the
words "Moped Riders"

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

'29 MRSA §1376, as enacted by PL 1979, c. 593, is
amended to read:

§1376. Protective headgear for motorcycle riders and
motor driven cycle riders

Every person under the age of 15 years who rides
as a passenger on a motorcycle or motor driven cycle
or in a sidecar attached to a motorcycle or motor
driven cycle or who operates an off-road motorcycle
or motor driven cycle shall wear protective headgear
conforming with these minimum standards of construction
and performance which the Secretary of State may
prescribe.

No operator of a motorcycle or motor driven cycle
nor parent nor guardian may allow a passenger under
the age of 15 years to ride in violation of this
section.

No operator of an off-road motorcycle or motor
driven cycle under the age of 15 years may ride in
violation of this section.

COMMITTEE OF CONFERENCE AMENDMENT "A" to H.P. 836, L.D. 1072

1 Every person who operates a motorcycle or motor
2 driven cycle under the authority of a motorcycle or
3 motor driven cycle learner's permit shall wear pro-
4 protective headgear.

5 Every person who operates a motorcycle or motor
6 driven cycle for a period of one year following suc-
7 cessful completion of the motorcycle or motor driven
8 cycle driving test shall wear protective headgear.

9 Every person who rides as a passenger on a motor-
10 cycle or motor driven cycle or in a sidecar attached
11 to a motorcycle or motor driven cycle which is oper-
12 ated by a driver within a period of one year follow-
13 ing successful completion of the motorcycle or motor
14 driven cycle driving test shall wear protective
15 headgear. All protective headgear prescribed in this
16 section shall conform with minimum standards of con-
17 struction and performance as prescribed by the Amer-
18 ican National Standards Institute specification Z
19 90.1 or by the Federal Motor Vehicle Safety Standard
20 No. 218.

21 Violation of this section is a civil violation
22 for which a forfeiture of \$25 for the first violation
23 and \$50 for each subsequent violation shall be ad-
24 judged.

25 In furtherance of reasonable protective public
26 policies, the Department of Public Safety, Bureau of
27 Safety shall develop and implement a public informa-
28 tion and education program designed to encourage
29 helmet utilization by all motorcycle, motor driven
30 cycle and moped riders.

31 The Bureau of Safety shall conduct a study to
32 ascertain the nature and extent of any reduction in
33 the number and rate of injury and death of riders
34 relating to head injuries in motorcycle, motor driven
35 cycle and moped accidents.

36 The Bureau of Safety shall prepare and submit a

COMMITTEE OF CONFERENCE AMENDMENT "A" to H.P. 836, L.D. 1072

1 report to the 112th Legislature, no later than March
2 1, 1985, containing specific findings and conclusions
3 regarding helmet usage, injuries, death and include
4 any necessary implementing legislation.'

5 STATEMENT OF FACT

6 This amendment requires mandatory use of a helmet
7 while operating with a motorcycle or motor driven
8 cycle learner's permit, and for a one-year period
9 after the issuance of motorcycle license.

10 Also included is an educational and awareness
11 program directed toward the motorcycle and motor
12 drive cycle operators and passengers regarding helmet
13 usage.

14 3911051683

Reported by the Committee of Conference on L.D. 1072
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