

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 1072

6
7 H.P. 836

House of Representatives, March 4, 1983

8 Submitted by the Department of Public Safety pursuant to Joint Rule 24.
9 On Motion of Representative Carroll of Limerick, referred to the
Committee on Transportation. Sent up for concurrence and ordered printed.

10 EDWIN H. PERT, Clerk

Presented by Representative Carroll of Gray.

Cosponsors: Representative Manning of Portland, Representative Nelson
of Portland and Representative Matthews of Winslow.

11
12 STATE OF MAINE
13

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

17 AN ACT to Require the Wearing of Protec-
18 tive Headgear by All Motorcycle, Motor Driven
19 Cycle and Moped Riders.
20

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

23 29 MRSA §1376, as enacted by PL 1979, c. 593, is
24 repealed and the following enacted in its place:

25 §1376. Protective headgear for motorcycle, motor
26 driven cycle and moped riders

27 Every person who rides on a motorcycle, motor
28 driven cycle or moped or in a sidecar attached to a
29 motorcycle or a motor driven cycle or who operates or
30 rides on an off-road motorcycle or motor driven cycle
31 shall wear protective headgear conforming with those
32 minimum standards of construction and performance
33 which the Commissioner of Public Safety may pre-
34 scribe.

1 Violation of this section is a civil violation
2 for which a forfeiture of \$25 for the first violation
3 and \$50 for each subsequent violation shall be ad-
4 judged.

5 STATEMENT OF FACT

6 This bill requires every motorcycle, motor driven
7 cycle or moped rider to wear protective headgear.

8 The previous motorcycle helmet law, which re-
9 quired headgear protection for all motorcycle oper-
10 ators and passengers, was repealed because it was
11 felt that the statute infringed upon the right of a
12 motorcycle operator or passenger to make his own
13 choice as to whether they wanted to be protected or
14 not. During the Second Regular Session of the 109th
15 Legislature, Public Law 1979, chapter 593, was
16 enacted requiring protective headgear for all oper-
17 ators and passengers of motorcycles and motor driven
18 cycles under the age of 15 years. This action was
19 taken to cut down the large number of grave head
20 injuries suffered by children and adolescents when
21 involved in motorcycle and motor driven cycle acci-
22 dents.

23 During the period of time since October 24, 1977,
24 when the original helmet law was repealed, it has
25 been determined that one out of 3 motorcycle or motor
26 driven cycle riders do not wear helmets and 3 out of
27 4 of those killed in motorcycle, motor driven cycle
28 or moped accidents were riding without helmets.
29 Since October 24, 1977, over 100 persons over the age
30 of 15 years have died of head injuries suffered in
31 motorcycle, motor driven cycle or moped accidents.
32 Also approximately 1500 persons over the age of 15
33 years have suffered from grave head injuries.

34 In view of these statistics and the fact that
35 over 1000 motorcycle, motor driven cycle and moped
36 accidents have occurred every year since the helmet
37 law was repealed, and the number of accidents have
38 continued to escalate each year for the past 16
39 years, this bill provides a solution to this serious
40 problem.

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