

MAINE STATE LEGISLATURE

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1 (New Draft of H.P. 719, L.D. 910)

2 FIRST REGULAR SESSION
3

4 ONE HUNDRED AND ELEVENTH LEGISLATURE
5

6 Legislative Document

No. 1514

8 H.P. 1149

House of Representatives, April 26, 1983

9 Reported by Report "A" from the Committee on Transportation and
10 printed under Joint Rule 2.

11 Original bill sponsored by Representative Reeves of Pittston. Cosponsored
by Representative Thompson of So. Portland, Senator Gill of Cumberland
and Senator Diamond of Cumberland.

EDWIN H. PERT, Clerk

12
13 STATE OF MAINE
14

15 IN THE YEAR OF OUR LORD
16 NINETEEN HUNDRED AND EIGHTY-THREE
17

18 AN ACT Requiring Motorists to Protect
19 Children in Motor Vehicles by Use of
20 Approved Child Safety Seats.
21

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

24 29 MRSA §1368-B, as enacted by PL 1981, c. 405,
25 is repealed and the following enacted in its place:

26 §1368-B. Use of approved child safety seats

27 1. Transportation in vehicle of parent or
28 guardian. When any child who is less than 4 years of
29 age is being transported in a motor vehicle regis-
30 tered in this State and owned or operated by his
31 parent or legal guardian, and the motor vehicle is
32 required by the United States Department of Trans-
33 portation to be equipped with seat belts at the time

1 of manufacture or assembly, the operator of the motor
2 vehicle shall have the child properly secured, in ac-
3 cordance with the manufacturer's instructions, in a
4 child safety seat that meets the standards described
5 in Federal Motor Vehicle Safety Standards, 49 Code of
6 Federal Regulations, Part 571, in effect on January
7 1, 1981. The parent or legal guardian of the child
8 is responsible for providing and installing the child
9 safety seat.

10 2. Transportation in vehicle not owned by parent
11 or guardian. If the child is being transported in a
12 motor vehicle registered in this State, neither owned
13 nor operated by his parent or legal guardian, and the
14 motor vehicle is required by the United States
15 Department of Transportation to be equipped with seat
16 belts at the time of manufacture or assembly, the
17 operator of the motor vehicle shall have the child
18 properly secured, in accordance with the
19 manufacturer's instructions, in a child safety seat
20 that meets the standards described in Federal Motor
21 Vehicle Safety Standards, 49 Code of Federal Regula-
22 tions, Part 571, in effect on January 1, 1981. When
23 such a child safety seat is not available, the oper-
24 ator shall have the child properly secured in a seat
25 belt, except when all seating positions equipped with
26 seat belts are occupied. No exception may apply if
27 the child is less than one year of age.

28 3. Exception and limitation. The requirements
29 of subsections 1 and 2 shall not apply to any person
30 over one year of age when the number of passengers
31 exceeds the seating capacity of the vehicle.

32 4. Warning. Any person stopped for a violation
33 of this section during the initial 6 months after
34 this section takes effect shall be issued a warning
35 that a violation of this section has occurred.

36 5. Violation limitation. Any parent, guardian,
37 owner or operator stopped for a violation of this
38 section and against whom enforcement action has been
39 taken shall not be guilty of a subsequent violation
40 of this section until after 24 hours have elapsed
41 from the date and time of the violation, as indicated
42 on the traffic ticket.

1 acquired a child safety seat for continuous use by
2 the child is exempt from the fine.

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