

# MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION  
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE  
4

5 Legislative Document

No. 1951

6  
7 S.P. 777

In Senate, January 30, 1986

8 Submitted by the Department of Human Services pursuant to Joint Rule  
9 24.

10 Reference to the Committee on Transportation suggested and ordered  
11 printed.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Violette of Aroostook.

Cosponsored by Representative Diamond of Bangor, Representative Vose  
of Eastport and Representative Murphy of Kennebunk.

12 STATE OF MAINE  
13

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

17 AN ACT to Promote Public Health through  
18 Required Use of Seat Belts.  
19

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

22 29 MRSA §1368-C is enacted to read:

23 §1368-C. Use of seat belts

24 1. Mandatory use. The driver and every passen-  
25 ger in a seating position equipped with a seat belt  
26 shall wear a properly secured seat belt while the mo-  
27 tor vehicle is in operation, provided that the vehi-  
28 cle in operation is:

29 A. A passenger car manufactured or assembled on  
30 or after January 1, 1966; and

31 B. Any multipurpose passenger vehicle, truck or  
32 bus required by federal motor vehicle safety  
33 standards to be equipped with seat belts at the  
34 time of manufacture or assembly.

1           2. Duty of driver and passenger. The driver is  
2 personally responsible for assuring that he and each  
3 passenger below the age of 16 years are properly se-  
4 cured by a seat belt while the vehicle is being oper-  
5 ated. A passenger who has attained the age of 16  
6 years is personally responsible for complying with  
7 this section.

8           3. Exceptions. The requirements of subsection 1  
9 do not apply to:

10           A. A passenger who is engaged in direct  
11 life-saving patient care activities, such as  
12 cardiopulmonary resuscitation;

13           B. A rear seat passenger when all other seating  
14 positions equipped with seat belts are occupied;  
15 or

16           C. A passenger or operator with a physician cer-  
17 tified physical condition that would render the  
18 restraint inappropriate.

19           4. Violations. Violation of this section is a  
20 civil violation for which a forfeiture of \$15 for the  
21 first violation and \$50 for each subsequent violation  
22 shall be adjudged.

23           Conduct permitted by section 1368-B shall not give  
24 rise to an enforcement action under this section.

25           5. Grace period. A person stopped for a viola-  
26 tion of this section within 30 days after the effec-  
27 tive date of this section shall be issued a warning.

1

STATEMENT OF FACT

2 Motor vehicle accidents are a major public health  
3 concern. Over 200 Maine citizens are killed each  
4 year on our highways. Thousands of other people are  
5 injured. Motor vehicle crashes account for more  
6 cases of paraplegia and quadriplegia than all other  
7 causes combined. Traffic accidents are the number  
8 one cause of death up to age 35. They are the major  
9 cause of epilepsy. In Maine, over \$150,000,000 are  
10 spent each year on traffic accidents including money  
11 for medical care services to care, transport and re-  
12 habilitate accident victims. Motor vehicle accidents  
13 are also a significant cause of workers' compensation  
14 costs.

15 Seat belts save lives. Each person has one  
16 chance in 3 of being in a motor vehicle crash during  
17 their life. Seat belts reduce fatalities and severe  
18 injuries by at least 50%. The death rate for  
19 unbuckled occupants is 3 times that of ones using  
20 seat belts. One hundred and ninety-three of the 205  
21 occupants killed in motor vehicle accidents in Maine  
22 in 1984 were not wearing seat belts. Over 40 people  
23 would be alive now if a mandatory law had been in ef-  
24 fect for the past 12 months. Nearly \$30,000,000  
25 would have been saved including the cost of unused  
26 medical care services, especially expensive hospital  
27 care and emergency room treatment. With health and  
28 liability insurance costs continuing to rise, seat  
29 belts save money as well as lives.

30 Sixteen other states and the District of Columbia  
31 now have mandatory seat belt laws. In the first 6  
32 months, New York State, the first to pass a law,  
33 documented a 26% reduction in fatalities, 71 lives  
34 saved. In Maine, public opinion is in favor of a  
35 mandatory seat belt law. In a recent statewide sci-  
36 entific survey of Maine adults, nearly 2/3, 64.5%,  
37 favored a mandatory seat belt law.

38 Failure to wear seat belts while driving is more  
39 than a personal act of risk taking. It is clearly a  
40 danger to others. Unbelted operators are more likely  
41 to lose control of their vehicle in emergency situa-  
42 tions and cause death or injury to others. Unbelted

1 passengers can become human projectiles who could in-  
2 terfere with the ability of the operator to control  
3 the vehicle. In addition, the cost incurred as a re-  
4 sult of preventable injuries and deaths are assumed  
5 by all taxpayers and insurance holders.

6 This bill will require all drivers and passengers  
7 of motor vehicles to wear seat belts if their vehi-  
8 cles were equipped with seat belts by the manufactur-  
9 er. Failure to wear a seat belt carries a \$15 fine  
10 for the first offense and \$50 for subsequent of-  
11 fenses.

12 Ambulance personnel need not wear seat belts  
13 while they are engaged in direct life saving patient  
14 care. A rear seat passenger need not wear a seat  
15 belt if all available seating positions equipped with  
16 belts are occupied. A medical exemption is also pro-  
17 vided.

18 A grace period will be in effect for 30 days fol-  
19 lowing the effective date of this law.

20

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