

# MAINE STATE LEGISLATURE

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# 114th MAINE LEGISLATURE

## SECOND REGULAR SESSION - 1990

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Legislative Document

No. 2186

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S.P. 852

In Senate, January 11, 1990

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator RANDALL of Washington.

Cosponsored by Representative MILLS of Bethel and Senator GOULD of Waldo.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY

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An Act Relating to Seat Belts and Child Safety Seats for Children under 4 Years of Age.

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

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4 29 MRSA §1368-B, sub-§§1 and 2, as repealed and replaced by  
PL 1983, c. 299, are amended to read:

6 1. **Transportation in vehicle of parent or guardian.** When  
8 any child who is less than 4 years of age is being transported in  
a motor vehicle ~~registered~~ in this State and that motor vehicle  
10 is owned or operated by his the child's parent or legal guardian,  
and the motor vehicle is required by the United States Department  
12 of Transportation to be equipped with seat belts at the time of  
manufacture or assembly, the operator of the motor vehicle shall  
14 have the child properly secured, in accordance with the  
manufacturer's instructions, in a child safety seat that meets  
16 the standards described in Federal Motor Vehicle Safety  
Standards, 49 Code of Federal Regulations, Part 571, in effect on  
18 January 1, 1981. The parent or legal guardian of the child is  
responsible for providing and installing the child safety seat.

20 2. **Transportation in vehicle not owned by parent or**  
22 **guardian.** If the child is being transported in a motor vehicle  
~~registered~~ in this State, and that motor vehicle is neither owned  
24 nor operated by his the child's parent or legal guardian, and the  
motor vehicle is required by the United States Department of  
26 Transportation to be equipped with seat belts at the time of  
manufacture or assembly, the operator of the motor vehicle shall  
28 have the child properly secured, in accordance with the  
manufacturer's instructions, in a child safety seat that meets  
30 the standards described in Federal Motor Vehicle Safety  
Standards, 49 Code of Federal Regulations, Part 571, in effect on  
32 January 1, 1981. When such a child safety seat is not available,  
the operator shall have the child properly secured in a seat  
34 belt, except when all seating positions equipped with seat belts  
are occupied. No exception may apply if the child is less than  
36 one year of age.

38 **STATEMENT OF FACT**

40 This bill makes the child safety seat and seat belt law for  
42 children less than 4 years of age apply to any person  
transporting a child of that age, whether or not the vehicle is  
registered in this State.