## MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

### FIRST REGULAR SESSION-1990

### Legislative Document

No. 25

H.P. 22

House of Representatives, December 10, 1990

Reference to the Committee on Transportation suggested and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative LUTHER of Mexico.

#### STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND NINETY

An Act to Require That Children Riding in the Back of Pickup Trucks Be Secured.



	Be it enacted by the People of the State of Maine as follows:
2	
4	Sec. 1. 29 MRSA §1368-D is enacted to read:
4	§1368-D. Children to be secured
6	y1300-b. Children to be secured
Ü	1. Definition. As used in this section, "pickup truck"
8 > 15	means a motor vehicle designed or used principally for carrying
1-13	things other than passengers and includes a motor vehicle to
10	which has been added a cabinet box, platform, racks or other
	equipment for the purpose of carrying materials other than
12	passengers or their effects.
14	2 Children under 16 wenne of non When a shild under 16
14	2. Children under 16 years of age. When a child under 16 years of age is a passenger in or on any portion of a pickup
16	truck that is not enclosed or that is not designed for passenger
	occupancy, the operator of the pickup truck shall have the child
18	seated and properly secured.
20	3. Rules. The Chief of the State Police shall adopt rules
	governing the proper securement of children riding in pickup
22	trucks.
24	4. Warnings. Any person stopped for a violation of this
44	section during the initial 6 months after this section takes
26	effect must be issued a warning that a violation of this section
	has occurred.
28	
	5. Penalty. Following the initial 6-month warning period,
30	a violation of this section is a civil violation for which a
	forfeiture of \$25 for the first violation and \$50 for each
32	subsequent violation may be adjudged.
34	6. Failure to secure a child; use as evidence. Failure to
J 1	secure a child as required by this section may not be considered
36	negligence imputable to the child, nor may that failure be
	admissible as evidence in the trial of any civil or criminal
38	action, except for a violation of this section.
40	Sec. 2. Effective date. The Maine Revised Statutes, Title 29,
	section 1368-D, subsections 1, 2, 4, 5 and 6 as enacted by this
42	Act take effect January 1, 1992.
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# #	
46	STATEMENT OF FACT
48	The purpose of this bill is to ensure that children are
50	properly secured when riding in or on any portion of a pickup