

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

90X

L.D. 1058

(Filing No. S-249)

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30
32
34
36
38
40
42
44
46

STATE OF MAINE
SENATE
115TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " A" to S.P. 381, L.D. 1058, Bill, "An Act to Mandate the Use of Seat Belts"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'29 MRSA §1368-C, as amended by PL 1989, c. 350, is further amended to read:

§1368-C. Use of seat belts; persons at least 4 but under 19 years of age

1. **Persons at least 4 but under 19 years of age.** When a child person 4 years of age or older, but less than ~~16~~ 19 years of age, is a passenger in a motor vehicle, ~~which~~ that is required by the United States Department of Transportation to be equipped with seat belts, the operator of the motor vehicle shall have the child person properly secured in a seat belt or in a child safety seat that meets the requirements set out in 49 Code of Federal Regulations, Part 571.

2. **Exception.** Subsection 1 does not apply when the number of passengers exceeds the seating capacity of the vehicle.

3. **Warnings.** Any person stopped for a violation of this section, during the initial 6 months after this section takes effect, ~~shall~~ must be issued a warning that a violation of this section has occurred.

4. **Penalty.** Following the initial 6-month warning period, violation of this section is a civil violation for which a forfeiture of \$25 for the first violation and \$50 for each subsequent violation may be adjudged.

2 5. Failure to secure passenger; use as evidence. Failure
3 to secure a child, passenger in accordance with this section, may
4 not be considered negligence imputable to the child passenger,
5 nor may that failure be admissible as evidence in any civil or
6 criminal action.

8 FISCAL NOTE

10 This expansion of the seat belt law will increase the number
11 of cases filed in District Court by a minor amount. The
12 additional work load and administrative costs associated with
13 these cases will be absorbed within the budgeted resources of the
14 Judicial Department. There will be a minor increase in General
15 Fund revenue from the collection of additional fines.'

18 STATEMENT OF FACT

20 This amendment replaces the original bill that required all
21 drivers and passengers to use seat belts. The amendment expands
22 current law to require that the driver of a vehicle have
23 passengers 4 years of age to 18 years of age use seat belts.
24 Present law requires that passengers under 16 years of age be
25 secured in seat belts.

Reported by Report B for the Committee on Transportation.
Reproduced and Distributed Pursuant to Senate Rule 12.
(5/30/91) (Filing No. S-249)