

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1058

S.P. 381

Received by the Secretary, March 8, 1991

Referred to the Committee on Transportation and 1400 ordered printed pursuant to Joint Rule 14.

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BRANNIGAN of Cumberland
Cosponsored by Senator COLLINS of Aroostook.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

An Act to Mandate the Use of Seat Belts.

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

29 MRSA §1368-D is enacted to read:

§1368-D. Use of seat belts

1. Mandatory use. The driver and every passenger of a motor vehicle shall wear a properly secured seat belt while the motor vehicle is in operation if the vehicle was:

A. Manufactured or assembled on or after January 1, 1966; and

B. Required by federal law or regulation to be equipped with seat belts at the time of manufacture or assembly.

2. Duty of driver and passenger. The driver is responsible for ensuring that the driver and any passengers under the age of 18 years are properly secured by seat belts while the vehicle is being operated. A passenger who has attained the age of 18 years or older is responsible for complying with this section.

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

A. A passenger engaged in direct lifesaving patient care activities, such as cardiopulmonary resuscitation; or

B. A rear seat passenger when all seating positions equipped with seat belts are occupied.

4. Violations. Violation of this section is a civil violation for which a forfeiture of \$25 for the first violation and \$50 for each subsequent violation must be adjudged.

Conduct permitted by sections 1368-B and 1368-C does not give rise to an enforcement action under this section.

5. Grace period. A person stopped for a violation of this section prior to December 1, 1991 must be issued a warning.

STATEMENT OF FACT

This bill requires drivers and passengers of motor vehicles to wear seat belts if their vehicles were equipped with seat belts by the manufacturer. Failure to wear a seat belt carries a \$25 fine for a first offense and a \$50 fine for subsequent offenses.

2 Ambulance personnel need not wear seat belts while they are
engaged in direct lifesaving patient care. A rear seat passenger
4 need not wear a seat belt if all available seating positions
equipped with seat belts are occupied.

6 A grace period will be in effect until December 1, 1991.