

MAINE STATE LEGISLATURE

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R. of S.

L.D. 486

(Filing No. S- 88)

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STATE OF MAINE
SENATE
116TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " A " to S.P. 155, L.D. 486, Bill, "An Act Concerning the Mandatory Use of Car Safety Seat Belts"

Amend the bill in section 2 in that part designated "~~§1368-D.~~" in subsection 1 in the last 2 lines (page 1, lines 19 and 20 in L.D.) by striking out the following: "civil violation punishable as provided in subsection 4" and inserting in its place the following: 'traffic infraction punishable as provided in subsection 5'

Further amend the bill in section 2 in that part designated "~~§1368-D.~~" in subsection 2 by striking out all of paragraph A and inserting in its place the following:

'A. When the number of passengers exceeds the number of seat belts in a vehicle and all of the seat belts are in use; or'

Further amend the bill in section 2 in that part designated "~~§1368-D.~~" by inserting after subsection 2 the following:

'3. Enforcement. This section may be enforced only if a law enforcement officer has detained the operator of a motor vehicle for a suspected violation of another traffic offense. An operator is not subject to the penalty established in this section unless the operator is required to pay a fine for the primary offense.'

Further amend the bill in section 2 in that part designated "~~§1368-D.~~" in subsection 3 in the first line (page 1, line 33 in L.D.) by striking out the following: "stopped for a" and inserting in its place the following: 'found in'

COMMITTEE AMENDMENT

2 Further amend the bill in section 2 in that part designated
3 "§1368-D." in subsection 3 by inserting at the end a new sentence
4 to read: 'A penalty may not be imposed during this 6-month
period.'

6 Further amend the bill in section 2 in that part designated
7 "§1368-D." in subsection 4 in the first line (page 1, line 38 in
8 L.D.) by striking out the following: "civil violation" and
inserting in its place the following: 'traffic infraction'

10 Further amend the bill in section 2 in that part designated
11 "§1368-D." in subsection 4 in the 2nd and 3rd lines (page 1,
12 lines 39 and 40 in L.D.) by striking out the following:
13 "forfeiture of \$50 for the first violation and \$200 for each
14 "subsequent violation" and inserting in its place the following:
15 'fine not less than \$25 nor more than \$50'

18 Further amend the bill in section 2 in that part designated
19 "§1368-D." by renumbering the subsections to read consecutively.

20 Further amend the bill by inserting after section 2 the
21 following:

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23 '**Sec. 3. Effective date.** This Act takes effect January 1, 1994.

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28 **FISCAL NOTE**

29 The Bureau of State Police within the Department of Public
30 Safety will incur some minor additional costs to enforce this new
31 traffic infraction. These costs can be absorbed within the
32 bureau's existing budgeted resources.

33 The additional workload and administrative costs associated
34 with the minimal number of new cases filed in the court system
35 can be absorbed within the budgeted resources of the Judicial
36 Department. The collection of additional fines may increase
37 General Fund revenues by a minor amount.'

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41 **STATEMENT OF FACT**

42 This amendment clarifies that the exemption for passengers
43 exceeding the seating capacity of a vehicle applies only when all
44 seat belts in the vehicle are in use. It adds a provision
45 allowing enforcement only when a vehicle is stopped for a
46 suspected violation of another traffic offense. It replaces the
47 term civil violation with the term traffic infraction. It
48 changes the penalty to a fine not less than \$25 nor more than
49 \$50. It also adds the effective date of January 1, 1994 and a
50 fiscal note to the bill.

Reported by the Majority of the Committee on Transportation.
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