

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 486

S.P. 155

In Senate, February 16, 1993

An Act Concerning the Mandatory Use of Car Safety Seat Belts.

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 BRANNIGAN of Cumberland.
Cosponsored by Representative PENDEXTER of Scarborough and
Senators: BUSTIN of Kennebec, ESTY of Cumberland, McCORMICK of Kennebec,
Representatives: CLOUTIER of South Portland, KETTERER of Madison, LINDAHL of
Northport, MacBRIDE of Presque Isle, MELENDY of Rockland, PARADIS of Augusta, ROWE
of Portland, TOWNSEND of Portland.

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

2
4 Sec. 1. 29 MRSA §1368-C, as amended by PL 1991, c. 548, Pt. F, §1 and affected by §2, is repealed.

6 Sec. 2. 29 MRSA §1368-D is enacted to read:

8 §1368-D. Use of seat belts

10 1. Mandatory use of seat belts. Except as provided in
12 subsection 2, when a person is an operator or a passenger in a
14 motor vehicle that is required by the United States Department of
16 Transportation to be equipped with seat belts, that operator or
18 passenger must be properly secured in a seat belt or in a child
20 safety seat that meets the requirements set out in 49 Code of
 Federal Regulations, Part 571. The failure by the operator of a
 motor vehicle to ensure that the operator and any passengers are
 secured by seat belts or child safety seats as required by this
 subsection while the vehicle is being operated is a civil
 violation punishable as provided in subsection 4.

22 2. Exception. Subsection 1 does not apply:

24 A. When the number of passengers exceeds the seating
26 capacity of the vehicle; or

28 B. When a driver or a passenger has a medical condition
30 that, in the opinion of a physician, warrants an exemption
32 from the requirements of subsection 1 and that medical
34 condition and opinion are documented by a certificate from
36 that physician. Such a certificate is valid for 5 years.

38 3. Warnings. A person stopped for a violation of this
40 section during the initial 6 months after this section takes
42 effect must be issued a warning that a violation of this section
44 has occurred.

46 4. Penalty. Violation of this section is a civil violation
48 for which a forfeiture of \$50 for the first violation and \$200
 for each subsequent violation may be adjudged.

STATEMENT OF FACT

This bill requires that all motor vehicle operators and passengers wear safety seat belts unless an operator or passenger has a medical condition, documented by a physician, that precludes wearing a seat belt.