



116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 496

H.P. 383

House of Representatives, February 16, 1993

An Act to Increase the Penalty for Failure to Use Car Safety Seats.

Reference to the Committee on Transportation suggested and ordered printed.

JOSEPH W. MAYO, Clerk

Presented by Representative KERR of Old Orchard Beach. Cosponsored by Representatives: CARON of Biddeford, GEAN of Alfred, ST. ONGE of Greene, WENTWORTH of Arundel, Senator: BERUBE of Androscoggin. Be it enacted by the People of the State of Maine as follows:

Sec. 1. 29 MRSA §1368-B, sub-§4, as enacted by PL 1983, c. 299, is repealed.

6

8

24

26

2

Sec. 2. 29 MRSA §1368-B, sub-§6, as enacted by PL 1983, c. 299, is amended to read:

6. Penalty. Following-the-initial-6-month-warning-period, vielatien <u>Violation</u> of this section is a civil violation 10 for which a forfeiture of \$25 \$75 for the first violation and \$50 for 12 each subsequent violation may be adjudged. The court shall waive any civil fine or cost against a parent or legal guardian who 14 receives a civil violation citation for a first violation of this section if the parent or legal guardian supplies the court with satisfactory evidence that the parent or guardian has acquired or 16 purchased a child safety seat for continuous use by the child of 18 the parent or guardian. This child safety seat shall must comply with the standards described in Federal Motor Vehicle Safety 20 Standards, 49 Code of Federal Regulations, Part 571, in effect January 1, 1981, within 30 days of the issuance of the civil 22 violation citation.

STATEMENT OF FACT

This bill increases from \$25 to \$75 the first violation fine 28 for failure to secure a child under the age of 4 in a federally approved child safety seat when that child is being transported 30 in a motor vehicle in this State. The \$75 first violation fine, which is waived by the court if theviolator provides 32 satisfactory evidence that child safety seat has a been purchased, is an amount approximately equal to or greater than the cost of purchasing a new child safety seat. 34 This bill also repeals an obsolete provision concerning an initial 6-month warning period. 36