

# 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)

R. of S.

L.D. 1675

DATE: 2/15/94

(Filing No. H- 736 )

TRANSPORTATION

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
116TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1248, L.D. 1675, Bill, "An Act to Promote Child Safety"

Amend the bill by inserting after the enacting clause and before section 1 the following:

Sec. 1. 29 MRSA §1368-B, sub-§1, as amended by PL 1989, c. 640, is further amended to read:

1. Transportation of child in vehicle. When any a child who is less than 4 years of age is being transported in a motor vehicle in this State and that ~~motor-vehicle-is-owned-or-operated-by-the-child's-parent-or-legal-guardian,-and-the~~ motor vehicle is required by the United States Department of Transportation to be equipped with seat belts at the time of manufacture or assembly, the operator of the motor vehicle shall have the child properly secured, in accordance with the manufacturer's instructions, in a child safety seat that meets the standards described in Federal Motor Vehicle Safety Standards, 49 Code of Federal Regulations, Part 571, in effect on January 1, 1981. ~~The-parent-or-legal-guardian-of-the-child-is-responsible-for-providing-and-installing-the-child-safety-seat.'~~

Further amend the bill by inserting after section 2 and before the statement of fact the following:

COMMITTEE AMENDMENT

2 'Sec. 3. 29 MRSA §1368-B, sub-§5, as enacted by PL 1983, c.  
299, is amended to read:

4 5. **Violation limitation.** ~~Any parent, guardian, owner or~~ An  
operator stopped for a violation of this section and against whom  
6 enforcement action has been taken ~~shall not be guilty of~~ may not  
be adjudicated to have committed a subsequent violation of this  
8 section until after 24 hours have elapsed from the date and time  
of the violation, as indicated on the ~~traffic ticket~~ Violation  
10 Summons and Complaint.

12 Further amend the bill by renumbering the sections to read  
consecutively.

14 Further amend the bill by inserting at the end before the  
16 statement of fact the following:

18  
20 **FISCAL NOTE**

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

26  
28 **STATEMENT OF FACT**

30 This amendment accomplishes the original purpose of the  
bill, which is to remove from the motor vehicle laws the  
32 exemption from the use of a child safety seat when a driver is  
not the parent or legal guardian of the child. It also makes  
34 certain technical changes and adds a fiscal note to the bill.