

# MAINE STATE LEGISLATURE

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DATE: ~~May~~ 12, 1997

(Filing No. S-218 )

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**STATE OF MAINE  
SENATE  
118TH LEGISLATURE  
FIRST SPECIAL SESSION**

SENATE AMENDMENT " C " to H.P. 303, L.D. 367, Bill, "An Act to Provide That the Operator of a Limousine Is Not Responsible for Securing in a Seat Belt a Passenger Transported for a Fee"

Amend the bill by striking out the title and substituting the following:

**'An Act to Provide That the Operator of a Motor Vehicle Is Not Responsible for Securing in a Seat Belt a Passenger 18 Years of Age or Older'**

Further amend the bill by inserting after the enacting clause the following:

**'Sec. 1. 29-A MRSA §2081, sub-§3, as reenacted by PL 1995, c. 597, §1, is amended to read:**

**3. Person between 4 and 18.** When a person 4 years of age or older, but less than ~~19~~ 18 years of age, is a passenger in a vehicle that is required by the United States Department of Transportation to be equipped with seat belts, the operator must have the person properly secured in a seat belt or in a child safety seat. When a person who is less than ~~19~~ 18 years of age is the operator of a vehicle that is required by the United States Department of Transportation to be equipped with seat belts, that operator must be properly secured in a seat belt.

**Sec. 2. 29-A MRSA §2081, sub-§3-A, as amended by PL 1995, c. 597, §2, is further amended to read:**

**3-A. Operators.** When a person ~~19~~ 18 years of age or older is a passenger in a vehicle that is required by the United States Department of Transportation to be equipped with seat belts, the

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operator ~~passenger~~ must have ~~the person~~ be properly secured in a seat belt. Each such passenger is responsible for wearing a seat belt as required by this subsection, and a passenger that fails to wear a seat belt as required by this subsection is subject to the enforcement provisions of subsection 4. The operator of a vehicle that is required by the United States Department of Transportation to be equipped with seat belts must be secured in the operator's seat belt.'

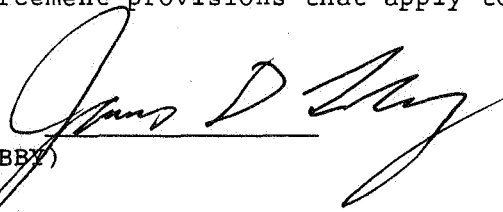
Further amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

#### FISCAL NOTE

The amendment may increase prosecutions of traffic infractions. The additional workload and administrative costs associated with the minimal number of new cases filed in the court system can be absorbed within the budgeted resources of the Judicial Department. The collection of additional fines may increase General Fund revenue by minor amounts.

#### SUMMARY

Current law requires the operator of a motor vehicle to secure all passengers of that motor vehicle in seat belts. This amendment makes passengers 18 years of age or older responsible for wearing their seat belts and specifically provides that a passenger that fails to wear a seat belt is subject to the existing enforcement provisions that apply to that provision.

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