



120th MAINE LEGISLATURE

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Legislative Document

No. 858

H.P. 658

House of Representatives, February 15, 2001

An Act to Revert the Seat Belt Law to the Form Approved by the Citizens.

(EMERGENCY)

Reference to the Committee on Transportation suggested and ordered printed.

Millicent M. Mac Jarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative PERKINS of Penobscot. Cosponsored by Senator McALEVEY of York and Representatives: BUCK of Yarmouth, DUGAY of Cherryfield, GAGNE of Buckfield, LaVERDIERE of Wilton, McKENNEY of Cumberland, WHEELER of Bridgewater, Senators: CARPENTER of York, DAVIS of Piscataquis. **Emergency preamble. Whereas,** Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the citizens of Maine voted to enact a mandatory 6 seat belt law; and

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Whereas, the Legislature changed the law as approved by the citizens of Maine; and

Whereas, it is important that confidence of citizens be 12 restored by returning the law to the form as approved at referendum as soon as possible; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 29-A MRSA §2081, sub-§4, ¶E, as amended by PL 1997, c. 450, §3, is further amended to read:

E. Subsection 3-A may be enforced only if a law enforcement officer has detained the operator of a motor vehicle for a suspected violation of another law. An operator is not subject to the penalty established in paragraph D unless the operator is required to pay a fine for the primary violation.

32 **Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.

SUMMARY

38 This bill restores statutory language that was repealed in 1997. Prior to the repeal, a person not wearing a seat belt 40 could be fined for not wearing a seat belt only if the person was fined for the primary violation, i.e., the reason the person was 42 originally stopped other than failure to wear a seat belt. This bill restores that provision to the form passed at referendum in 1995.