MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1427

H.P. 1064

House of Representatives, March 5, 2001

Willient M. Mac Failand

An Act to Prohibit Roadblocks for the Purpose of Enforcing the Seat Belt Law for Adults.

(EMERGENCY)

Reference to the Committee on Transportation suggested and ordered printed.

MILLICENT M. MacFARLAND, Clerk

Presented by Representative PERKINS of Penobscot.
Cosponsored by Senator WOODCOCK of Franklin and
Representatives: CLARK of Millinocket, CRESSEY of Baldwin, DUNLAP of Old Town,
GAGNE of Buckfield, McKENNEY of Cumberland, MENDROS of Lewiston, SHERMAN of
Hodgdon, WATERHOUSE of Bridgton.

	Emergency preamote. Whereas, acts of the Legislature do not
2	become effective until 90 days after adjournment unless enacted as emergencies; and
4	ds emergencies, and
-1	Whomas annual law makikita the tighting of a sure for
	Whereas, current law prohibits the ticketing of a person for
6	failing to wear a seatbelt unless that person has been detained
	for a suspended violation of another law; and
8	
	Whereas, nothing prohibits the establishment of roadblocks
10	by law enforcement agencies to determine whether a person is
	wearing a seatbelt; and
12	
	Whereas, the citizens of Maine, in approving the seatbelt
14	referendum did not contemplate the use of such roadblocks to
	enforce the law; and
16	enforce the raw, and
16	Whomas I is a first of the second of the sec
	Whereas, in the judgment of the Legislature, these facts
18	create an emergency within the meaning of the Constitution of
	Maine and require the following legislation as immediately
20	necessary for the preservation of the public peace, health and
	safety; now, therefore,
22	
	Be it enacted by the People of the State of Maine as follows:
24	•
	Sec. 1. 29-A MRSA §2081, sub-§7 is enacted to read:
26	g
	7. Checkpoints. The State, a county or a municipality may
28	not establish or operate a roadblock for the purpose of
20	-
2.0	determining compliance with subsection 3-A. For purposes of this
30	subsection, "roadblock" has the same meaning as defined in
	section 2414, subsection 1, paragraph A.
32	
	Emergency clause. In view of the emergency cited in the
34	preamble, this Act takes effect when approved.
36	
	SUMMARY
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-	This bill prohibits the use of roadblocks for the purpose of
40	determining whether the operator or any passenger 18 years of age
10	or older is wearing a seat belt.
	or order is wearing a seat beit.