

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)

m
RAB

L.D. 644

2
4
DATE: 4-18-03

(Filing No. H-161)

6
8
TRANSPORTATION

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

14
16
**STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
FIRST REGULAR SESSION**

18
20 COMMITTEE AMENDMENT "A" to H.P. 474, L.D. 644, Bill, "An
22 Act To Assist Low-income Families To Comply with the Booster Seat
24 Law"

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

30 '**An Act To Assist Regional Transportation Providers To Comply
32 with the Booster Seat Law**'

34 Further amend the bill by striking out all of section 1 and
36 inserting in its place the following:

38 '**Sec. 1. 29-A MRSA §2081, sub-§1, ¶C**, as enacted by PL 2001,
40 c. 585, §1 and affected by §6, is amended to read:

42 C. "Federally approved child restraint system" means a
44 child passenger safety restraint system that is intended to
46 be used as crash protection in vehicles that is designed to
48 elevate a child to enable that child to properly sit in a
federally approved lap and shoulder belt system and that
meets the requirements of the Federal Motor Vehicle Safety
Standards Standard 213.

50 '**Sec. 2. 29-A MRSA §2081, sub-§3, ¶A**, as enacted by PL 2001, c.
52 585, §3 and affected by §6, is amended to read:

54 A. The operator shall ensure that a child who weighs at
56 least 40 pounds but less than 80 pounds and who is less than
58 8 years of age is properly secured in a federally approved

RES.

COMMITTEE AMENDMENT "A" to H.P. 474, L.D. 644

2 child restraint system. Nonprofit, municipal or contracted
3 transportation service providers are exempt from this
4 paragraph until February 1, 2005.

5 **Sec. 3. 29-A MRSA §2081, sub-§3, ¶B**, as amended by PL 2001, c.
6 710, §15 and affected by §16, is further amended to read:

7 B. The operator shall ensure that a child who is less than
8 18 years of age and at least 8 years of age or who is less
9 than 18 years of age and more than 4 feet, 7 inches in
10 height is properly secured in a seat belt ~~unless that child~~
11 ~~is required to be secured in a federally approved child~~
12 ~~restraint system pursuant to this subsection or in a child~~
13 ~~safety seat pursuant to subsection 2.'~~

14
15 Further amend the bill in section 2 by striking out all of
16 the last underlined sentence (page 1, lines 38 to 40 in L.D.) and
17 inserting in its place the following:

18
19 'A written warning must be issued in lieu of a fine for a
20 violation of subsection 3 until September 1, 2003. After
21 September 1, 2003 a fine may be imposed for a violation of
22 subsection 3.'

23
24 Further amend the bill by relettering or renumbering any
25 nonconsecutive Part letter or section number to read
26 consecutively.

27
28
29 **SUMMARY**

30
31 This amendment changes the bill by striking language
32 requiring the Department of Public Safety to provide booster
33 seats to qualified low-income people. The amendment expands the
34 definition of a "federally approved child restraint system" to
35 include lap-belt-only systems and other federally approved
36 devices such as special harnesses and vests. The amendment allows
37 children over 4'7", regardless of age or weight, to use a
38 vehicle's lap and shoulder belt system instead of a booster seat.
39 The amendment also exempts nonprofit, municipal or contracted
40 transportation service providers from the booster seat portion of
41 the law until February 1, 2005. It also requires that written
42 warnings be issued for a violation of the booster seat portion of

COMMITTEE AMENDMENT "A" to H.P. 474, L.D. 644

the law until September 1, 2003, after which a fine may be imposed.

2
4
6

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT

**121st Maine Legislature
Office of Fiscal and Program Review**



LD 644

**An Act To Assist Regional Transportation Providers To Comply with the
Booster Seat Law**

LR1395(02)

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Transportation

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Correctional and Judicial Impact Statements

Delays the fine for violations of failure to secure children in vehicles