

MAINE STATE LEGISLATURE

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Date: 4-9-07

(Filing No. S-35)

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STATE OF MAINE
SENATE
123RD LEGISLATURE
FIRST REGULAR SESSION

SENATE AMENDMENT "A" to S.P. 22, L.D. 24, Bill, "An Act To Make Failure To Wear a Seat Belt a Primary Offense"

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

'Sec. 1. 29-A MRSA §2081, sub-§3-A, as amended by PL 2005, c. 12, Pt. AAA, §3, is further amended to read:

3-A. Other passengers 18 years of age and older; operators. When a person 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 passenger must 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. Violation of this subsection is a traffic infraction for which a fine of \$50 for the first offense, \$125 for the 2nd offense and \$250 for the 3rd and subsequent offenses must be imposed. A fine imposed under this subsection may not be suspended by the court. A vehicle, the contents of a vehicle, the driver of or a passenger in a vehicle may not be inspected or searched solely because of a violation of this subsection.

Amend the bill by inserting after section 1 the following:

'Sec. 2. **Warning required.** Notwithstanding the Maine Revised Statutes, Title 29-A, section 2081, subsection 3-A, a person detained solely for a violation of Title 29-A, section 2081, subsection 3-A before April 1, 2008 may only be issued a warning.'

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

SENATE AMENDMENT

H. 018

SENATE AMENDMENT "A" to S.P. 22, L.D. 24

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SUMMARY

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This bill prohibits searches of vehicles and occupants solely because of a violation of the mandatory seat belt law. It also provides that a person detained solely for a violation of the mandatory seat belt law before April 1, 2008 may only be issued a warning.

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SPONSORED BY: Christine Savage

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(Senator SAVAGE, C.)

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COUNTY: Knox

FISCAL NOTE REQUIRED
(See attached)



123rd MAINE LEGISLATURE

LD 24

LR 566(04)

An Act To Make Failure To Wear a Seat Belt a Primary Offense

Fiscal Note for Senate Amendment "A"

Sponsor: Sen. Savage, C. of Knox

Fiscal Note Required: Yes

Fiscal Note

Minor savings - General Fund
Minor revenue decrease - General Fund
Minor revenue decrease - Other Special Revenue Funds

Correctional and Judicial Impact Statements

Postpones new violations before the courts.

Postponing until April 1, 2008 the imposition of fines for violations of seat belt laws as primary offenses will result in a minor reduction of fine revenue collected by the Judicial Department.