

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 electronic originals
(may include minor formatting differences from printed original)



127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 112

S.P. 45

In Senate, January 22, 2015

An Act To Eliminate the Requirement That Adults Wear Seat Belts

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script, reading "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator BRAKEY of Androscoggin.
Cosponsored by Senator: COLLINS of York, Representatives: O'CONNOR of Berwick,
WARREN of Hallowell.

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

2 **Sec. 1. 29-A MRSA §2081, sub-§3-A**, as amended by PL 2007, c. 60, §1, is
3 repealed.

4 **Sec. 2. 29-A MRSA §2081, sub-§4**, as amended by PL 2009, c. 436, §1, is
5 further amended to read:

6 **4. Enforcement.** The following provisions apply to subsections 2; and 3 ~~and 3-A~~.

7 A. Unless the vehicle is operated by a person under 21 years of age, the requirements
8 do not apply to a passenger over one year of age when the number of passengers
9 exceeds the vehicle seating capacity and all of the seat belts are in use.

10 ~~A-1. The requirements of subsection 3-A do not apply to a driver or passenger who~~
11 ~~has a medical condition that, in the opinion of a physician, warrants an exemption~~
12 ~~from the requirements of subsection 3-A and that medical condition and opinion are~~
13 ~~documented by a certificate from that physician. That certificate is valid for the~~
14 ~~period designated by the physician, which may not exceed one year. The Secretary~~
15 ~~of State may issue a removable windshield placard that is visible to law enforcement~~
16 ~~officers to a person with a certificate from a physician. A removable windshield~~
17 ~~placard is a 2-sided permit designed to hang from the rearview mirror when the~~
18 ~~vehicle is in motion without obstructing the view of the operator. The placard must~~
19 ~~be displayed by hanging it from the rearview mirror so that it may be viewed from~~
20 ~~the front and rear of the vehicle when the vehicle is in motion. If the vehicle is not~~
21 ~~equipped with a rearview mirror, the placard must be displayed on the dashboard.~~
22 ~~The placard must be identifiable as a seat belt placard as designed by the Secretary of~~
23 ~~State. A placard issued to a person under this paragraph expires when the physician's~~
24 ~~certificate expires.~~

25 **Sec. 3. 29-A MRSA §2081, sub-§5**, as enacted by PL 1993, c. 683, Pt. A, §2 and
26 affected by Pt. B, §5, is amended to read:

27 **5. Evidence.** In an accident involving a motor vehicle, the nonuse of seat belts by
28 ~~the operator or~~ passengers or the failure to secure a child is not admissible in evidence in
29 a civil or criminal trial, except in a trial for violation of this section.

30 **Sec. 4. 29-A MRSA §2081, sub-§6**, as amended by PL 2009, c. 34, §1, is
31 repealed.

32 **SUMMARY**

33 This bill repeals the requirement that adults over 17 years of age wear seat belts when
34 operating or riding in a motor vehicle.