

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 41

S.P. 21

In Senate, January 10, 2017

**An Act To Exempt a Person under 18 Years of Age from the
Requirement To Wear a Helmet While on an All-terrain Vehicle in
Certain Circumstances**

Reference to the Committee on Inland Fisheries and Wildlife 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 DAVIS of Piscataquis.
Cosponsored by Representative BLACK of Wilton and
Senators: COLLINS of York, KATZ of Kennebec, KEIM of Oxford, Representatives:
FARRIN of Norridgewock, MARTIN of Sinclair, STEARNS of Guilford.

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

2 **Sec. 1. 12 MRSA §13157-A, sub-§§13 and 14**, as enacted by PL 2003, c. 655,
3 Pt. B, §414 and affected by §422, are amended to read:

4 **13. Operating ATV without protective headgear.** Notwithstanding Title 29-A,
5 section 2083, a person under 18 years of age may not operate an ATV without protective
6 headgear unless the person is properly secured in a seat belt and the ATV is equipped
7 with roll bars or bracing welded or attached to the frame in a permanent manner, with a
8 roof or with a protective enclosure.

9 A. A person who violates this subsection commits a civil violation for which a fine
10 of not less than \$100 nor more than \$500 may be adjudged.

11 B. A person who violates this subsection after having been adjudicated as having
12 committed 3 or more civil violations under this Part within the previous 5-year period
13 commits a Class E crime.

14 **14. Carrying passenger on ATV without protective headgear.** Notwithstanding
15 Title 29-A, section 2083, a person may not carry a passenger under 18 years of age on an
16 ATV unless the passenger is wearing protective headgear or unless the passenger is
17 properly secured in a seat belt and the ATV is equipped with roll bars or bracing welded
18 or attached to the frame in a permanent manner, with a roof or with a protective
19 enclosure.

20 A. A person who violates this subsection commits a civil violation for which a fine
21 of not less than \$100 nor more than \$500 may be adjudged.

22 B. A person who violates this subsection after having been adjudicated as having
23 committed 3 or more civil violations under this Part within the previous 5-year period
24 commits a Class E crime.

25 **SUMMARY**

26 This bill exempts a person under 18 years of age from the requirement that the person
27 wear a helmet while operating or being carried as a passenger on an all-terrain vehicle
28 when the person is wearing a seat belt and the all-terrain vehicle is equipped with roll
29 bars or bracing welded or attached to the frame in a permanent manner, with a roof or
30 with a protective enclosure.