

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 277

H.P. 210

House of Representatives, January 31, 2017

An Act Regarding the Use of Helmets by Minors Riding in an All-terrain Vehicle with an Adult

Reference to the Committee on Inland Fisheries and Wildlife suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative STEARNS of Guilford.
Cosponsored by Representatives: GRIGNON of Athens, HANLEY of Pittston, HIGGINS of Dover-Foxcroft, LYFORD of Eddington, PIERCE of Dresden.

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

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

4 **14. Carrying passenger on ATV without headgear.** Notwithstanding Title 29-A,
5 section 2083, a person operating an ATV may not carry a passenger under 18 years of age
6 on an the ATV unless the passenger is wearing protective headgear, except that the
7 operator may carry a passenger who is not wearing protective headgear if the passenger is
8 under 8 years of age and is riding directly adjacent to the operator on an ATV with
9 side-by-side seating when the operator is a parent, grandparent or legal guardian of the
10 passenger.

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

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

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17 less than \$100 nor more than \$500 may be adjudged.

18 A person who violates this subsection after having been adjudicated as having committed
19 3 or more civil violations under this Part within the previous 5-year period commits a
20 Class E crime.

21 **SUMMARY**

22 This bill provides an exemption to the requirement that a passenger under 18 years of
23 age on an all-terrain vehicle wear protective headgear. The bill allows a parent,
24 grandparent or legal guardian of a passenger to operate an all-terrain vehicle while the
25 passenger on that all-terrain vehicle is not wearing protective headgear when the
26 passenger is under 8 years of age and is riding directly adjacent to the operator on an
27 all-terrain vehicle with side-by-side seating.