

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 157

S.P. 44

In Senate, January 17, 2019

An Act To Amend the Laws Governing Car Seats

Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator CLAXTON of Androscoggin.
Cosponsored by Senator: BELLOWS of Kennebec.

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

2 **Sec. 1. 29-A MRSA §2081, sub-§2**, as amended by PL 2005, c. 12, Pt. AAA, §1,
3 is further amended to read:

4 **2. Children under 4 years of age.** When a child who ~~weighs less than 40 pounds~~
5 has not attained 4 years of age is being transported in a motor vehicle that is required by
6 the United States Department of Transportation to be equipped with safety seat belts, the
7 operator must have the child properly secured in accordance with the manufacturer's
8 instructions in a child safety seat and, if the design of the motor vehicle makes it possible,
9 in a rear-facing position. Violation of this subsection is a traffic infraction for which a
10 fine of \$50 for the first offense, \$125 for the 2nd offense and \$250 for the 3rd and
11 subsequent offenses must be imposed. A fine imposed under this subsection may not be
12 suspended by the court.

13 **Sec. 2. 29-A MRSA §2081, sub-§3**, as amended by PL 2007, c. 295, §2, is
14 further amended to read:

15 **3. Passengers under 18 years of age.** Except as provided in subsection 2, the
16 following provisions apply to passengers ~~less than who have not attained~~ 18 years of age
17 riding in a vehicle that is required by the United States Department of Transportation to
18 be equipped with seat belts. Violation of this subsection is a traffic infraction for which a
19 fine of \$50 for the first offense, \$125 for the 2nd offense and \$250 for the 3rd and
20 subsequent offenses must be imposed. A fine imposed under this subsection may not be
21 suspended by the court.

22 A. The operator shall ensure that a child who ~~weighs at least 40 pounds but is 4 years~~
23 of age or older and weighs less than 80 60 pounds and who is less than 8 years of age
24 is properly secured in a federally approved child restraint system that is a
25 forward-facing child safety seat or booster seat and harness. Nonprofit, municipal or
26 contracted transportation service providers are exempt from this paragraph until
27 February 1, 2005, except that the operator shall ensure that the child is properly
28 secured in a seat belt.

29 B. The operator shall ensure that a child who is ~~less than 18 years of age and at least~~
30 8 years of age or older and under 18 years of age or who is ~~less than~~ has not attained
31 18 years of age and ~~more than 4 feet, 9 inches in height weighs 60 pounds or more~~ is
32 properly secured in a lap and shoulder seat belt.

33 C. The operator shall ensure that a child who is ~~less than 12~~ has not attained 13 years
34 of age ~~and who weighs less than 100 pounds~~ is properly secured in the rear seat of a
35 vehicle, if possible.

36 **Sec. 3. Education and outreach.** Before January 1, 2021, the Department of
37 Transportation shall conduct education and outreach regarding requirements for using
38 child safety restraints as provided in the Maine Revised Statutes, Title 29-A, section
39 2081, subsections 2 and 3.

40 **Sec. 4. Effective date.** Those sections of this Act that amend the Maine Revised
41 Statutes, Title 29-A, section 2081, subsections 2 and 3 take effect July 1, 2021.

SUMMARY

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This bill amends the laws governing the required use of child safety restraints in motor vehicles by changing the weight and age limits for the different types of restraints.