

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**  
**ONE HUNDRED AND NINETEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 2, 1998 to June 19, 1999**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 18, 1999**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1999**

tion of each appropriate governmental unit over public ways pursuant to this subparagraph is the same as its jurisdiction over the passage of vehicles on public ways pursuant to Title 29-A, section 2395. Municipal or county law enforcement officials having jurisdiction have primary enforcement authority over any route established under this subparagraph.

**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective May 25, 1999.

## CHAPTER 311

H.P. 1179 - L.D. 1690

### An Act Regulating the Transportation of People in Pickup Trucks

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

**Sec. 1.** 29-A MRSA §2085 is enacted to read:

**§2085. Passengers restricted to passenger compartment of pickup truck**

**1. Passengers under 19 years of age.** When a passenger under 19 years of age is transported in a pickup truck, that passenger must ride in the passenger compartment of the pickup truck.

**2. Exceptions.** Subsection 1 does not apply to the following:

A. Workers or trainees, including agricultural workers or trainees, engaged in the necessary discharge of their duties or training or being transported between work or training locations;

B. Licensed hunters being transported to or from a hunting location, as long as those persons are in compliance with all laws pertaining to possession and transportation of firearms in a motor vehicle;

C. Participants in parades; or

D. A passenger secured by a seat belt in a manufacturer-installed seat located outside the passenger compartment.

See title page for effective date.

## CHAPTER 312

H.P. 209 - L.D. 287

### An Act to Impose Stricter OUI Penalties on Operators of Watercraft, ATVs and Snowmobiles

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

**Sec. 1.** 12 MRSA §7901, sub-§13, ¶A, as amended by PL 1995, c. 679, §12, is repealed.

**Sec. 2.** 12 MRSA §7901, sub-§13, ¶¶B, C, D and F, as amended by PL 1995, c. 679, §12, are further amended to read:

B. In the case of a person having no previous convictions of a violation of section 7406, subsection 3; section 7801, subsection 9; section 7827, subsection 9; or section 7857, subsection 10 ~~and having no previous adjudications of within the previous 6-year period, the fine may not be less than \$400. If that person was adjudicated within the previous 6-year period for failure to comply with the duty to submit to and complete a blood-alcohol test under section 7408, 7805, 7828 or 7860 within a 6-year period, the fine may not be less than \$300 and the sentence, the fine may not be less than \$500. A conviction under this paragraph must include a period of incarceration of not less than 48 hours, which penalties may not be suspended, when the person:~~

(1) Was tested as having a blood-alcohol level of 0.15% or more;

(2) Failed or refused to stop upon request or signal of an officer in uniform, as defined in section 6953 or 7060, during the operation that resulted in prosecution for operating under the influence or with a blood-alcohol level of 0.08% or more; or

(3) Failed to submit to a chemical test to determine that person's blood-alcohol level or drug concentration, at the request of a law enforcement officer on the occasion that resulted in the conviction.

C. In the case of a person having one previous conviction of a violation of section 7406, subsection 3; section 7801, subsection 9; section 7827, subsection 9; or section 7857, subsection 10 ~~or one previous adjudication of within the previous 6-year period, the fine may not be less than \$600. If that person was adjudicated within the previous 6-year period for failure to comply with the duty to submit to and complete a blood-~~