

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

SECOND REGULAR SESSION
January 6, 2010 to April 12, 2010

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 12, 2010

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

Augusta, Maine
2010

maintain proper control of the bicycle. A roller skier may return the hand used to signal a turn to a position required to maintain proper control of the roller skis during the turn.

Sec. 9. 29-A MRSA §2321, as enacted by PL 1999, c. 331, §1, is amended to read:

§2321. Short title

This chapter may be known and cited as the "Bicycle and Roller Skis Safety Education Act."

Sec. 10. 29-A MRSA §2322, sub-§8, as enacted by PL 1999, c. 331, §1, is amended to read:

8. Operator. "Operator" means a person who travels on and controls a bicycle or roller skis.

Sec. 11. 29-A MRSA §2323, as enacted by PL 1999, c. 331, §1, is amended to read:

§2323. Bicyclist and roller skier helmet use; passenger seat use

1. Use of helmet. A person under 16 years of age who is an operator or a passenger on a bicycle or an operator of roller skis on a public roadway or a public bikeway shall wear a helmet of good fit, positioned properly and fastened securely upon the head by helmet straps.

2. Passenger seat. A bicycle passenger must be seated properly in a bicycle passenger seat.

Sec. 12. 29-A MRSA §2324, as enacted by PL 1999, c. 331, §1, is amended to read:

§2324. Obligation of rental businesses

A person who is in the business of renting bicycles or roller skis shall post or make available to a person renting a bicycle or roller skis a written notice explaining the provisions of this chapter and shall provide an appropriate helmet to an operator or passenger who is under 16 years of age. A reasonable fee may be charged for the helmet rental.

Sec. 13. 29-A MRSA §2325, as enacted by PL 1999, c. 331, §1, is amended to read:

§2325. Limitation of liability

A person who is in the business of selling or renting bicycles or roller skis who complies with this chapter is not liable in a civil suit for damages for any physical injuries sustained by a ~~bicyclist~~ operator or bicycle passenger as a result of the operator's or passenger's failure to use a helmet.

Sec. 14. 29-A MRSA §2326, sub-§1, as enacted by PL 2007, c. 400, §11, is amended to read:

1. Education. For a first violation of section 2323, subsection 1, a law enforcement officer may provide ~~bicycle~~ safety information to the person. The officer may also inform that person's parent or guard-

ian about the provisions of this chapter and about where to obtain a ~~bicycle~~ an appropriate helmet.

Sec. 15. 29-A MRSA §2328, as enacted by PL 1999, c. 331, §1, is amended to read:

§2328. Evidence

In an accident involving a bicycle or a roller skier, the nonuse of a helmet by the operator or passenger is not admissible as evidence in a civil or criminal trial.

Sec. 16. Maine Revised Statutes headnote amended; revision clause. In the Maine Revised Statutes, Title 29-A, chapter 20, in the chapter headnote, the words "bicycle safety education act" are amended to read "bicycle and roller skis safety education act" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

See title page for effective date.

CHAPTER 485

S.P. 628 - L.D. 1663

An Act Relating to the Maine Aeronautical Advisory Board

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

Sec. 1. 6 MRSA §302, sub-§2, ¶A, as amended by PL 1999, c. 131, §18, is further amended to read:

A. The membership of the board consists of ~~5~~ at least 7 members; ~~one person from an airport association in the State appointed by the association's board of directors; one person from a pilot's association in the State appointed by the association's board of directors; and 3 persons the remaining members~~ appointed by the Commissioner of Transportation, ~~one of whom may not represent an interest in aviation. The members representing the aviation organizations are appointed by their respective board of directors and all~~ All members serve a term of office of 2 years. Vacancies in membership must be filled in the same manner as the original appointment. The commissioner serves as secretary of the board.

See title page for effective date.