

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Make Failure To Wear a Seat Belt a Primary Offense

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

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

3-A. Other passengers 18 years of age and older; operators. When a person 18 years of age or older is a passenger in a vehicle that is required by the United States Department of Transportation to be equipped with seat belts, the passenger must be properly secured in a seat belt. Each such passenger is responsible for wearing a seat belt as required by this subsection, and a passenger that fails to wear a seat belt as required by this subsection is subject to the enforcement provisions of subsection 4. The operator of a vehicle that is required by the United States Department of Transportation to be equipped with seat belts must be secured in the operator's seat belt. Violation of this subsection is a traffic infraction for which a fine of \$50 for the first offense, \$125 for the 2nd offense and \$250 for the 3rd and subsequent offenses must be imposed. A fine imposed under this subsection may not be suspended by the court. A vehicle, the contents of a vehicle, the driver of or a passenger in a vehicle may not be inspected or searched solely because of a violation of this subsection.

Sec. 2. 29-A MRSA §2081, sub-§4, ¶E, as amended by PL 1997, c. 450, §3 and affected by §5, is repealed.

Sec. 3. Warning required. Notwithstanding the Maine Revised Statutes, Title 29-A, section 2081, subsection 3-A, a person detained solely for a violation of Title 29-A, section 2081, subsection 3-A before April 1, 2008 may only be issued a warning.

Effective September 20, 2007