



# 127th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2015

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Legislative Document

No. 112

S.P. 45

In Senate, January 22, 2015

### An Act To Eliminate the Requirement That Adults Wear Seat Belts

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Reference to the Committee on Transportation suggested and ordered printed.

A handwritten signature in cursive script, reading "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Secretary of the Senate

Presented by Senator BRAKEY of Androscoggin.  
Cosponsored by Senator: COLLINS of York, Representatives: O'CONNOR of Berwick,  
WARREN of Hallowell.

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

2 **Sec. 1. 29-A MRSA §2081, sub-§3-A**, as amended by PL 2007, c. 60, §1, is  
3 repealed.

4 **Sec. 2. 29-A MRSA §2081, sub-§4**, as amended by PL 2009, c. 436, §1, is  
5 further amended to read:

6 **4. Enforcement.** The following provisions apply to subsections 2; and 3 ~~and 3-A~~.

7 A. Unless the vehicle is operated by a person under 21 years of age, the requirements  
8 do not apply to a passenger over one year of age when the number of passengers  
9 exceeds the vehicle seating capacity and all of the seat belts are in use.

10 ~~A-1. The requirements of subsection 3-A do not apply to a driver or passenger who~~  
11 ~~has a medical condition that, in the opinion of a physician, warrants an exemption~~  
12 ~~from the requirements of subsection 3-A and that medical condition and opinion are~~  
13 ~~documented by a certificate from that physician. That certificate is valid for the~~  
14 ~~period designated by the physician, which may not exceed one year. The Secretary~~  
15 ~~of State may issue a removable windshield placard that is visible to law enforcement~~  
16 ~~officers to a person with a certificate from a physician. A removable windshield~~  
17 ~~placard is a 2-sided permit designed to hang from the rearview mirror when the~~  
18 ~~vehicle is in motion without obstructing the view of the operator. The placard must~~  
19 ~~be displayed by hanging it from the rearview mirror so that it may be viewed from~~  
20 ~~the front and rear of the vehicle when the vehicle is in motion. If the vehicle is not~~  
21 ~~equipped with a rearview mirror, the placard must be displayed on the dashboard.~~  
22 ~~The placard must be identifiable as a seat belt placard as designed by the Secretary of~~  
23 ~~State. A placard issued to a person under this paragraph expires when the physician's~~  
24 ~~certificate expires.~~

25 **Sec. 3. 29-A MRSA §2081, sub-§5**, as enacted by PL 1993, c. 683, Pt. A, §2 and  
26 affected by Pt. B, §5, is amended to read:

27 **5. Evidence.** In an accident involving a motor vehicle, the nonuse of seat belts by  
28 ~~the operator or~~ passengers or the failure to secure a child is not admissible in evidence in  
29 a civil or criminal trial, except in a trial for violation of this section.

30 **Sec. 4. 29-A MRSA §2081, sub-§6**, as amended by PL 2009, c. 34, §1, is  
31 repealed.

32 **SUMMARY**

33 This bill repeals the requirement that adults over 17 years of age wear seat belts when  
34 operating or riding in a motor vehicle.