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An Act To Exempt a Person under 18 Years of Age from the Requirement To Wear a Helmet While on an All-terrain Vehicle in Certain Circumstances

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

Sec. 1. 12 MRSA §13157-A, sub-§§13 and 14, as enacted by PL 2003, c. 655, Pt. B, §414 and affected by §422, are amended to read:

13. Operating ATV without protective headgear. Notwithstanding Title 29-A, section 2083, a person under 18 years of age may not operate an ATV without protective headgear unless the person is properly secured in a seat belt and the ATV is equipped with roll bars or bracing welded or attached to the frame in a permanent manner, with a roof or with a protective enclosure.

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

B. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

14. Carrying passenger on ATV without protective headgear. Notwithstanding Title 29-A, section 2083, a person may not carry a passenger under 18 years of age on an ATV unless the passenger is wearing protective headgear or unless the passenger is properly secured in a seat belt and the ATV is equipped with roll bars or bracing welded or attached to the frame in a permanent manner, with a roof or with a protective enclosure.

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

B. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime.

SUMMARY

This bill exempts a person under 18 years of age from the requirement that the person wear a helmet while operating or being carried as a passenger on an all-terrain vehicle when the person is wearing a seat belt and the all-terrain vehicle is equipped with roll bars or bracing welded or attached to the frame in a permanent manner, with a roof or with a protective enclosure.