

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

Amend the bill in section 3 in subsection 2-B in the 5th line (page 1, line 29 in L.D.) by inserting after the following: "secured in a child restraint system" the following: 'with an internal harness'

Amend the bill by inserting after section 3 the following:

‘**Sec. 4. 29-A MRSA §2081, sub-§3, ¶A**, as amended by PL 2019, c. 299, §2, is further amended to read:

A. The operator shall ensure that a child who weighs less than 80 pounds, who is less than 57 inches in height and who is less than 8 years of age is properly secured in a belt positioning seat or other child restraint system in accordance with the child restraint system manufacturer's instructions and the vehicle manufacturer's instructions.’

Amend the bill by striking out all of section 5 and inserting the following:

‘**Sec. 5. 29-A MRSA §2081, sub-§4, ¶A-2** is enacted to read:

A-2. The requirements of subsections 2-A, 2-B and 3 do not apply if a child passenger has a medical condition that, in the opinion of a physician, nurse practitioner, physician assistant or child passenger safety technician with special needs training, necessitates that a different child restraint system be used to improve the safety of the child. An opinion rendered pursuant to this paragraph must:

- (1) Be made in writing by the physician, nurse practitioner, physician assistant or child passenger safety technician with special needs training;
- (2) Recommend a child restraint system that would improve the safety of the child; and
- (3) Explain the basis of the opinion.

The operator of a motor vehicle transporting a child identified in this paragraph shall ensure the child is properly secured in a child restraint system recommended in the opinion rendered by the physician, nurse practitioner, physician assistant or child passenger safety technician with special needs training under this paragraph in accordance with the child restraint system manufacturer's instructions and the vehicle manufacturer's instructions.’

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

## SUMMARY

This amendment does the following.

1. It requires that a child restraint system for children 2 years of age or older and weighing less than 55 pounds must have an internal harness.

2. It clarifies that children less than 8 years of age who weigh less than 80 pounds and are less than 57 inches in height must be properly secured in a belt positioning seat or other child restraint system.

3. It clarifies that a child with a medical condition that, in the written opinion of a physician, nurse practitioner, physician assistant or child passenger safety technician with special needs training, necessitates that a different child restraint system be used is required to be secured in a child restraint system recommended in the opinion.