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Date: (Filing No. S-)

INLAND FISHERIES AND WILDLIFE

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**STATE OF MAINE
SENATE
128TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 21, L.D. 41, Bill, “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”

Amend the bill by striking out the title and substituting the following:

'An Act To Expand Options for a Person under 14 Years of Age Required To Wear a Helmet while Being Carried as a Passenger on an All-terrain Vehicle'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

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

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, except that a passenger under 14 years of age who is properly secured in a seat belt and riding directly adjacent to the operator when the operator is a parent, grandparent or legal guardian of the passenger may wear a helmet that meets the requirements of Title 29-A, section 2323 while on an ATV with side-by-side seating that 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 amendment replaces the bill and changes the title. It provides that a passenger under 14 years of age who is properly secured in a seat belt and riding directly adjacent to

COMMITTEE AMENDMENT

1 the passenger's parent, grandparent or legal guardian on a side-by-side all-terrain vehicle
2 with roll bars or other bracing may wear a bicycle helmet.

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FISCAL NOTE REQUIRED

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(See attached)