

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 by inserting after section 1 the following:

‘**Sec. 2. 29-A MRSA §2052, sub-§5, ¶B**, as amended by PL 2005, c. 577, §27, is further amended to read:

B. Bicycles, roller skis or other nonmotorized traffic, scooters, motorized bicycles or tricycles or motorized scooters.’

Amend the bill by inserting after section 7 the following:

‘**Sec. 8. 29-A MRSA §2321**, as enacted by PL 1999, c. 331, §1, is amended to read:

§ 2321.Short title

This chapter may be known and cited as the "Bicycle and Roller Skis Safety Education Act."

Amend the bill by inserting after section 9 the following:

‘**Sec. 10. 29-A MRSA §2324**, as enacted by PL 1999, c. 331, §1, is amended to read:

§ 2324.Obligation of rental businesses

A person who is in the business of renting bicycles or roller skis shall post or make available to a person renting a bicycle or roller skis a written notice explaining the provisions of this chapter and shall provide an appropriate helmet to an operator or passenger who is under 16 years of age. A reasonable fee may be charged for the helmet rental.

Sec. 11. 29-A MRSA §2325, as enacted by PL 1999, c. 331, §1, is amended to read:

§ 2325.Limitation of liability

A person who is in the business of selling or renting bicycles or roller skis who complies with this chapter is not liable in a civil suit for damages for any physical injuries sustained by a bicyclean operator or bicycle passenger as a result of the operator's or passenger's failure to use a helmet.

Sec. 12. 29-A MRSA §2326, sub-§1, as enacted by PL 2007, c. 400, §11, is amended to read:

1. Education. For a first violation of section 2323, subsection 1, a law enforcement officer may provide bicyele safety information to the person. The officer may also inform that person's parent or guardian about the provisions of this chapter and about where to obtain a bicyclean appropriate helmet.’

Amend the bill by inserting after section 10 the following:

‘**Sec. 11. Maine Revised Statutes headnote amended; revision clause.** In the Maine Revised Statutes, Title 29-A, chapter 20, in the chapter headnote, the words "bicycle safety education act" are amended to read "bicycle and roller skis safety education act" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.’

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

SUMMARY

This amendment, which is the majority report of the Joint Standing Committee on Transportation, clarifies that roller skis may be prohibited from divided highways.

The amendment provides that a person who is in the business of renting roller skis shall post or make available to a person renting roller skis a written notice explaining the helmet requirement in Maine law and shall provide an appropriate helmet to an operator of roller skis who has not attained 16 years of age. Current law provides that a reasonable fee may be charged for the helmet rental. The amendment further provides that a person who is in the business of renting roller skis who complies with the helmet requirement in Maine law is not liable in a civil suit for damages for injuries sustained by a roller ski operator as a result of the operator's failure to use a helmet.

The amendment clarifies that, for a first violation of the helmet requirement for a person under 16 years of age who is an operator of roller skis on a public roadway or public bikeway, a law enforcement officer may provide safety information to the person.

FISCAL NOTE REQUIRED
(See attached)