MISSISSIPPI LEGISLATURE REGULAR SESSION 2017

By: Representative Williams-Barnes To: Transportation

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1237

AN ACT TO AMEND SECTION 63-2-1, MISSISSIPPI CODE OF 1972, TO REQUIRE REAR-SEAT PASSENGERS IN A MOTOR VEHICLE TO WEAR A PROPERLY FASTENED SAFETY SEAT BELT SYSTEM; TO AMEND SECTION 63-2-7, MISSISSIPPI CODE OF 1972, TO CONFORM WITH THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 63-2-1, Mississippi Code of 1972, is amended as follows:

63-2-1. (1) When a passenger motor vehicle is operated in forward motion on a public road, street or highway within this state, every operator, every *** * *** passenger, <u>regardless of the seat that the passenger occupies,</u> and every child under seven (7) years of age who is not required to be protected by the use of a child passenger restraint device or system or a belt positioning booster seat system under the provisions of Sections 63-7-301 through 63-7-311, regardless of the seat that the child occupies, shall wear a properly fastened safety seat belt system, required to be installed in the vehicle when manufactured pursuant to Federal Motor Vehicle Safety Standard 208.

(2) "Passenger motor vehicle" for purposes of this chapter means a motor vehicle designed to carry fifteen (15) or fewer passengers, including the driver, but does not include motorcycles that are not autocycles as defined in Section 63-3-103, mopeds, all-terrain vehicles or trailers.

(3) This section shall not apply to:

(a) Vehicles which may be registered for "farm" use, including "implements of husbandry" as defined in Section 63-21-5(d), and "farm tractors" as defined in Section 63-3-105(a);

(b) An operator or passenger possessing a written verification from a licensed physician that he is unable to wear a safety belt system for medical reasons;

(c) A passenger car operated by a rural letter carrier of the United States Postal Service or by a utility meter reader while on duty; or

(d) Buses.

SECTION 2. Section 63-2-7, Mississippi Code of 1972, is amended as follows:

63-2-7. (1) A violation of this chapter shall be a misdemeanor, punishable by a fine of Twenty-five Dollars ($25.00) upon conviction; however, only the operator of a vehicle may be fined for a violation of this chapter by the operator, for a violation of this chapter by a *** * *** passenger<u>, regardless of the seat that the passenger occupies,</u> or for a violation of this chapter by a child who is under seven (7) years of age and who is

not required to be protected by the use of a child passenger restraint device or system or a belt positioning booster seat system under the provisions of Sections 63-7-301 through 63-7-311, regardless of the seat that the child occupies. The maximum fine that may be imposed against the operator of a vehicle for a violation of this chapter by the operator or for a violation of this chapter by one or more passengers shall be Twenty-five Dollars ($25.00) in the aggregate.

(2) A violation of this chapter shall not be entered on the driving record of any individual so convicted, nor shall any state assessment provided for by Section 99-19-73, or any other state law, be imposed or collected.

SECTION 3. This act shall take effect and be in force from and after July 1, 2017.