

By: Turner

To: Judiciary

## SENATE BILL NO. 2799

1 AN ACT TO AMEND SECTIONS 63-2-1 AND 63-2-7, MISSISSIPPI CODE  
2 OF 1972, TO REQUIRE ALL PASSENGERS OF CERTAIN MOTOR VEHICLES TO BE  
3 PROPERLY RESTRAINED WHILE THE VEHICLE IS IN MOTION AND TO MAKE A  
4 VIOLATION A PRIMARY OFFENSE; AND FOR RELATED PURPOSES.

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

6 SECTION 1. Section 63-2-1, Mississippi Code of 1972, is  
7 amended as follows:[CSQ1]

8 63-2-1. (1) When a passenger motor vehicle is operated in  
9 forward motion on a public road, street or highways within this  
10 state, every operator and every \* \* \* passenger \* \* \* shall wear a  
11 properly fastened safety seat belt system, required to be  
12 installed in the vehicle when manufactured pursuant to Federal  
13 Motor Vehicle Safety Standard 208. Children under the age of four  
14 (4) years shall be protected as required by Sections 63-7-301  
15 through 63-7-313.

16 (2) "Passenger motor vehicle" for purposes of this chapter  
17 means a motor vehicle designed to carry fifteen (15) or fewer  
18 passengers, including the driver, but does not include  
19 motorcycles, mopeds, all-terrain vehicles or trailers.

20 (3) This section shall not apply to:

21 (a) Vehicles which may be registered for "farm" use,  
22 including "implements of husbandry" as defined in Section  
23 63-21-5(d), and "farm tractors" as defined in Section 63-3-105(a);

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

27 (c) A passenger car operated by a rural letter carrier

28 of the United States Postal Service or by a utility meter reader  
29 while on duty; or

30 (d) Buses.

31 SECTION 2. Section 63-2-7, Mississippi Code of 1972, is  
32 amended as follows:[CSQ2]

33 63-2-7. (1) A violation of this chapter shall be a  
34 misdemeanor, punishable by a fine of Twenty-five Dollars (\$25.00)  
35 upon conviction; however, only the operator of a vehicle may be  
36 fined for a violation of this chapter by the operator or for a  
37 violation of this chapter by a passenger. \* \* \* The maximum fine  
38 that may be imposed against the operator of a vehicle for a  
39 violation of this chapter by the operator or for a violation of  
40 this chapter by one or more passengers shall be Twenty-five  
41 Dollars (\$25.00) in the aggregate.

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

46 SECTION 3. This act shall take effect and be in force from  
47 and after July 1, 2000.