AN ACT TO AMEND SECTION 63-2-7, MISSISSIPPI CODE OF 1972, TO CREATE AS A PRIMARY VIOLATION FAILURE TO USE PROPER RESTRAINT IN A MOVING MOTOR VEHICLE; TO REPEAL SECTION 63-2-3, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THAT THE SEAT BELT CHAPTER DOES NOT ITSELF CREATE A STANDARD OF CARE, NOR SHALL FAILURE TO USE A SEAT BELT CONSTITUTE CONTRIBUTORY OR COMPARATIVE NEGLIGENCE; AND FOR RELATED PURPOSES.

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

SECTION 1. 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 or for a violation of this chapter by a passenger. * * * 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 2. Section 63-2-3, Mississippi Code of 1972, which provides that the seat belt chapter does not itself create a standard of care, nor shall failure to use a seat belt constitute contributory or comparative negligence, is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after July 1, 2001.