

By: Senator(s) Dearing

To: Judiciary

SENATE BILL NO. 2430

1 AN ACT TO AMEND SECTIONS 63-2-3 AND 63-2-7, MISSISSIPPI CODE
2 OF 1972, TO CREATE AS A PRIMARY VIOLATION FAILURE TO USE PROPER
3 RESTRAINT IN A MOVING MOTOR VEHICLE; AND FOR RELATED PURPOSES.

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

5 SECTION 1. Section 63-2-3, Mississippi Code of 1972, is
6 amended as follows:

7 63-2-3. This chapter shall not be construed to create a
8 duty, standard of care, right or liability between the operator
9 and passenger of any passenger motor vehicle which is not
10 recognized under the laws of the State of Mississippi as such laws
11 exist on the date of passage of this chapter or as such laws may
12 at any time thereafter be constituted by statute or court
13 decision. Failure to provide and use a seat belt restraint device
14 or system shall not be considered contributory or comparative
15 negligence * * *.

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

18 63-2-7. (1) A violation of this chapter shall be a
19 misdemeanor, punishable by a fine of Twenty-five Dollars (\$25.00)
20 upon conviction; however, only the operator of a vehicle may be
21 fined for a violation of this chapter by the operator or for a
22 violation of this chapter by a passenger. * * * The maximum fine
23 that may be imposed against the operator of a vehicle for a
24 violation of this chapter by the operator or for a violation of
25 this chapter by one or more passengers shall be Twenty-five
26 Dollars (\$25.00) in the aggregate.

27 (2) * * * No state assessment provided for by Section
28 99-19-73, or any other state law, shall be imposed or collected
29 for a violation of this chapter.

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