

By: Representative Moak (By Request)

To: Transportation

HOUSE BILL NO. 1123

1 AN ACT TO AMEND SECTION 63-2-1, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT AN OPERATOR OR PASSENGER OF A MOTOR VEHICLE WHO IS AT
3 LEAST TWENTY-ONE YEARS OF AGE SHALL BE EXEMPT FROM THE PROVISIONS
4 OF LAW THAT REQUIRE THE USE OF A SAFETY SEAT BELT SYSTEM UPON
5 FILING A WRITTEN DECLARATION OF SUCH DESIRE WITH THE DEPARTMENT OF
6 PUBLIC SAFETY ON A FORM PREPARED BY THE DEPARTMENT; TO PROVIDE
7 THAT IN ORDER FOR THE EXEMPTION TO BE EFFECTIVE A CERTIFIED COPY
8 OF THE DECLARATION MUST BE IN THE POSSESSION OF THE OPERATOR OR
9 PASSENGER WHILE OPERATING THE VEHICLE OR BEING TRANSPORTED IN THE
10 VEHICLE; AND FOR RELATED PURPOSES.

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

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

14 63-2-1. (1) When a passenger motor vehicle is operated in
15 forward motion on a public road, street or highway within this
16 state, every operator, every front-seat passenger and every child
17 who is at least four (4) years of age but under eight (8) years of
18 age, regardless of the seat that such child occupies, shall wear a
19 properly fastened safety seat belt system, required to be
20 installed in the vehicle when manufactured pursuant to Federal
21 Motor Vehicle Safety Standard 208. Children under the age of four
22 (4) years shall be protected as required by Sections 63-7-301
23 through 63-7-313.

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

28 (3) This section shall not apply to:

29 (a) Vehicles which may be registered for "farm" use,
30 including "implements of husbandry" as defined in Section
31 63-21-5(d), and "farm tractors" as defined in Section 63-3-105(a);



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

35 (c) An operator or passenger of a motor vehicle who is
36 at least twenty-one (21) years of age who files a written
37 declaration with the Department of Public Safety declaring his
38 desire to be exempt from the provisions of this section. In order
39 to be effective, a certified copy of the declaration must be on a
40 form prepared by the Department of Public Safety and the operator
41 or passenger must have the form in his possession while operating
42 or being transported in the vehicle. The Department of Public
43 Safety shall make the forms available, without cost, to all
44 members of the public that request the form;

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

48 (e) Buses.

49 **SECTION 2.** This act shall take effect and be in force from
50 and after July 1, 2003.

