To: Transportation

MISSISSIPPI LEGISLATURE REGULAR SESSION 2003
By: Representative Moak (By Request)

HOUSE BILL NO. 1123

AN ACT TO AMEND SECTION 63-2-1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN OPERATOR OR PASSENGER OF A MOTOR VEHICLE WHO IS AT LEAST TWENTY-ONE YEARS OF AGE SHALL BE EXEMPT FROM THE PROVISIONS OF LAW THAT REQUIRE THE USE OF A SAFETY SEAT BELT SYSTEM UPON FILING A WRITTEN DECLARATION OF SUCH DESIRE WITH THE DEPARTMENT OF PUBLIC SAFETY ON A FORM PREPARED BY THE DEPARTMENT; TO PROVIDE THAT IN ORDER FOR THE EXEMPTION TO BE EFFECTIVE A CERTIFIED COPY OF THE DECLARATION MUST BE IN THE POSSESSION OF THE OPERATOR OR PASSENGER WHILE OPERATING THE VEHICLE OR BEING TRANSPORTED IN THE VEHICLE; 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 front-seat passenger and every child who is at least four (4) years of age but under eight (8) years of age, regardless of the seat that such 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. Children under the age of four (4) years shall be protected as required by Sections 63-7-301 through 63-7-313.

(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, 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);
ST: Seat Belt Law; authorize person to be exempt from upon filing a declaration with the Department of Public Safety.

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

(d) 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

(e) Buses.

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