To: Judiciary

MISSISSIPPI LEGISLATURE REGULAR SESSION 2003
By: Senator(s) Frazier, Chaney, Dawkins, Williamson

SENATE BILL NO. 2554
(As Passed the Senate)

AN ACT TO AMEND SECTION 63-2-7, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISIONS THAT PERMIT A FINE TO BE IMPOSED FOR A VIOLATION OF THE MOTOR VEHICLE SEAT BELT LAW ONLY IF THE VIOLATOR IS ALSO CHARGED AND CONVICTED OF SOME OTHER OFFENSE; TO INCREASE THE AGGREGATE AMOUNT OF THE FINE THAT MAY BE IMPOSED FOR A VIOLATION OF THE SEAT BELT LAW BY MORE THAN ONE MOTOR VEHICLE OCCUPANT; TO AMEND SECTION 63-2-3, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION THAT FAILURE TO USE SEAT BELTS CANNOT 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, for a violation of this chapter by all passengers or for a violation of this chapter by a child who is at least four (4) years of age but under eight (8) years of age, regardless of the seat that the child occupies. 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 Fifty Dollars ($50.00) 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, is amended as follows:
63-2-3. This chapter shall not be construed to create a
duty, standard of care, right or liability between the operator
and passenger of any passenger motor vehicle which is not
recognized under the laws of the State of Mississippi as such laws
exist on the date of passage of this chapter or as such laws may
at any time thereafter be constituted by statute or court
decision. ** The violation ** shall not ** be entered on the driving
record of any individual.

SECTION 3. This act shall take effect and be in force from
and after July 1, 2003.