SENATE BILL NO. 2577

AN ACT TO AMEND SECTION 63-2-7, MISSISSIPPI CODE OF 1972, TO REVISE THE OFFENSE OF FAILURE TO WEAR A SEAT BELT SO THAT THE OFFENSE IS A PRIMARY ONE; AND FOR RELATED PURPOSES.

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

SECTION 1. The Legislature finds that, according to a National Highway Transportation and Safety Administration survey, observed seat belt use among African Americans is more than four percentage points lower than the national average; that the picture is especially grim for young black males, for whom motor vehicle crashes are the leading cause of death through the age of fourteen (14), and second leading cause of death for those ages fifteen (15) to twenty-four (24); that although black and Hispanic male teenagers travel fewer vehicle miles than their white counterparts, they are nearly twice as likely to die in a motor vehicle crash; that black children ages five (5) through twelve face a risk of dying in a motor vehicle crash that is almost three (3) times as great as for white children; that over thirty-one percent (31%) of black high school students report rarely or never wearing safety belts as opposed to only twenty-one percent (21%) of white and eighteen percent (18%) of Hispanic high school students; and that a recent survey showed that motor vehicle crashes accounted for hospital emergency room visits at a rate of twenty-four (24) per thousand (1,000) for African Americans compared to only fourteen (14) per thousand (1,000) for whites.

The Legislature further finds that greater seat belt use will significantly reduce unintentional death and injury in the African
American community and the state as a whole; and that with a ninety percent (90%) seat belt use across the country, the nation would save a total of Three Hundred Fifty-six Million Dollars ($356,000,000.00) per year in Medicare and Medicaid costs.

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

63-2-7. (1) (a) 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. * * *

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