

By: Representatives Clark, Upshaw, Akins, To: Transportation
 Bailey, Baker (74th), Baker (8th), Barnett,
 Bondurant, Broomfield, Brown, Burnett,
 Calhoun, Carlton, Clarke, Coleman (65th),
 Flaggs, Fleming, Franks, Hamilton (6th),
 Lane, Malone, Martinson, Masterson, Mayhall, Mayo, Miles, Reeves,
 Robinson (63rd), Rotenberry, Stevens, Thomas, Whittington, Woods, Young

HOUSE BILL NO. 409
 (As Passed the House)

1 AN ACT TO AMEND SECTION 63-2-7, MISSISSIPPI CODE OF 1972, TO
 2 DELETE THE PROVISIONS THAT PERMIT A FINE TO BE IMPOSED FOR A
 3 VIOLATION OF THE MOTOR VEHICLE SEAT BELT LAW ONLY IF THE VIOLATOR
 4 IS ALSO CHARGED AND CONVICTED OF SOME OTHER OFFENSE; AND FOR
 5 RELATED PURPOSES.

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

7 **SECTION 1.** Section 63-2-7, Mississippi Code of 1972, is
 8 amended as follows:

9 63-2-7. (1) A violation of this chapter shall be a
 10 misdemeanor, punishable by a fine of Twenty-five Dollars (\$25.00)
 11 upon conviction; however, only the operator of a vehicle may be
 12 fined for a violation of this chapter by the operator, for a
 13 violation of this chapter by a front seat passenger or for a
 14 violation of this chapter by a child who is at least four (4)
 15 years of age but under eight (8) years of age, regardless of the
 16 seat that the child occupies * * *. The maximum fine that may be
 17 imposed against the operator of a vehicle for a violation of this
 18 chapter by the operator or for a violation of this chapter by one
 19 or more passengers shall be Twenty-five Dollars (\$25.00) in the
 20 aggregate.

21 (2) A violation of this chapter shall not be entered on the
 22 driving record of any individual so convicted, nor shall any state
 23 assessment provided for by Section 99-19-73, or any other state
 24 law, be imposed or collected.

25 **SECTION 2.** All federal money that the State of Mississippi
 26 receives as an incentive grant for the enactment of a primary seat
 27 belt law under Section 1 of House Bill No. 409, 2006 Regular
 28 Session, shall be expended for highway safety infrastructure

29 improvements except as otherwise conditioned or restricted by
30 federal law or federal rules and regulations governing the
31 expenditure of such funds.

32 **SECTION 3.** This act shall take effect and be in force from
33 and after May 27, 2006.