

By: Senator(s) Dawkins

To: Judiciary, Division B

SENATE BILL NO. 2711

1 AN ACT ENTITLED THE "HUNTER DAWKINS SEAT BELT ACT"; TO AMEND  
2 SECTION 63-2-7, MISSISSIPPI CODE OF 1972, TO CREATE VIOLATION OF  
3 SEAT BELT REQUIREMENTS AS A PRIMARY OFFENSE; TO AMEND SECTION  
4 63-2-3, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION THAT  
5 FAILURE TO USE SEAT BELTS CANNOT CONSTITUTE CONTRIBUTORY OR  
6 COMPARATIVE NEGLIGENCE; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** This act shall be entitled and may be cited as  
9 the "Hunter Dawkins Seat Belt Act."

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

12 63-2-7. (1) A violation of this chapter shall be a  
13 misdemeanor, punishable by a fine of Twenty-five Dollars (\$25.00)  
14 upon conviction; however, only the operator of a vehicle may be  
15 fined for a violation of this chapter by the operator or for a  
16 violation of this chapter by a passenger. \* \* \* The maximum fine  
17 that may be imposed against the operator of a vehicle for a  
18 violation of this chapter by the operator or for a violation of  
19 this chapter by one or more passengers shall be Twenty-five  
20 Dollars (\$25.00) in the 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 3.** Section 63-2-3, Mississippi Code of 1972, is  
26 amended as follows:

27 63-2-3. This chapter shall not be construed to create a  
28 duty, standard of care, right or liability between the operator  
29 and passenger of any passenger motor vehicle which is not

30 recognized under the laws of the State of Mississippi as such laws  
31 existed on March 20, 1990, or as such laws may at any time  
32 thereafter be constituted by statute or court decision. A  
33 violation for failure to provide and use a seat belt restraint  
34 device or system shall not be \* \* \* entered on the driving record  
35 of any individual.

36 **SECTION 4.** This act shall take effect and be in force from  
37 and after July 1, 2006.