

By: Representatives Massengill, Sykes,
Dixon, Crawford, Gibbs (72nd)

To: Transportation

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 539

1 AN ACT TO AMEND SECTION 63-2-1, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE ALL PASSENGERS, WHETHER IN THE FRONT OR BACK SEATS, TO
3 WEAR SEAT BELTS; TO AMEND SECTION 63-2-7, MISSISSIPPI CODE OF
4 1972, IN CONFORMITY WITH THE PROVISIONS OF THIS ACT; AND FOR
5 RELATED PURPOSES.

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

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

9 63-2-1. (1) When a passenger motor vehicle is operated in
10 forward motion on a public road, street or highway within this
11 state, every operator, every * * * passenger, regardless of the
12 seat that the passenger occupies, and every child under seven (7)
13 years of age who is not required to be protected by the use of a
14 child passenger restraint device or system or a belt positioning
15 booster seat system under the provisions of Sections 63-7-301
16 through 63-7-311, regardless of the seat that the child occupies,
17 shall wear a properly fastened safety seat belt system, required
18 to be installed in the vehicle when manufactured pursuant to
19 Federal Motor Vehicle Safety Standard 208.



20 (2) "Passenger motor vehicle" for purposes of this chapter
21 means a motor vehicle designed to carry fifteen (15) or fewer
22 passengers, including the driver, but does not include motorcycles
23 that are not autocycles as defined in Section 63-3-103, mopeds,
24 all-terrain vehicles or trailers.

25 (3) This section shall not apply to:

26 (a) Vehicles which may be registered for "farm" use,
27 including "implements of husbandry" as defined in Section
28 63-21-5(d), and "farm tractors" as defined in Section 63-3-105(a);

29 (b) An operator or passenger possessing a written
30 verification from a licensed physician that he is unable to wear a
31 safety belt system for medical reasons;

32 (c) A passenger car operated by a rural letter carrier
33 of the United States Postal Service or by a utility meter reader
34 while on duty; or

35 (d) Buses.

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

38 63-2-7. (1) A violation of this chapter shall be a
39 misdemeanor, punishable by a fine of Twenty-five Dollars (\$25.00)
40 upon conviction; however, only the operator of a vehicle may be
41 fined for a violation of this chapter by the operator, for a
42 violation of this chapter by a * * * passenger, regardless of the
43 seat that the passenger occupies, or for a violation of this
44 chapter by a child who is under seven (7) years of age and who is



45 not required to be protected by the use of a child passenger
46 restraint device or system or a belt positioning booster seat
47 system under the provisions of Sections 63-7-301 through 63-7-311,
48 regardless of the seat that the child occupies. The maximum fine
49 that may be imposed against the operator of a vehicle for a
50 violation of this chapter by the operator or for a violation of
51 this chapter by one or more passengers shall be Twenty-five
52 Dollars (\$25.00) in the aggregate.

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

57 **SECTION 3.** This act shall take effect and be in force from
58 and after July 1, 2017.

