

By: Representatives Montgomery (74th), Mayo,
Reeves, Rushing

To: Transportation

HOUSE BILL NO. 1166

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

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

9 SECTION 1. Section 63-2-1, Mississippi Code of 1972, is
10 amended as follows:

11 63-2-1. (1) When a passenger motor vehicle is operated in
12 forward motion on a public road, street or highways within this
13 state, every operator, every * * * passenger and every child who
14 is at least four (4) years of age but under eight (8) years of
15 age * * * shall wear a properly fastened safety seat belt system,
16 required to be installed in the vehicle when manufactured pursuant
17 to Federal Motor Vehicle Safety Standard 208. Children under the
18 age of four (4) years shall be protected as required by Sections
19 63-7-301 through 63-7-313.

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
23 motorcycles, mopeds, all-terrain vehicles or trailers.

24 (3) This section shall not apply to:

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

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

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

34 (d) Buses.

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

37 63-2-7. (1) A violation of this chapter shall be a
38 misdemeanor, punishable by a fine of Twenty-five Dollars (\$25.00)
39 upon conviction; however, only the operator of a vehicle may be
40 fined for a violation of this chapter by the operator, by a
41 passenger or by a child who is at least four (4) years of age but
42 under eight (8) years of age * * *. The maximum fine that may be
43 imposed against the operator of a vehicle for a violation of this
44 chapter by the operator or for a violation of this chapter by one
45 or more passengers shall be Twenty-five Dollars (\$25.00) in the
46 aggregate.

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

51 SECTION 2. This act shall take effect and be in force from
52 and after July 1, 2001.