

By: Senator(s) Dearing

To: Judiciary

COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 2430

1 AN ACT TO AMEND SECTION 63-2-7, MISSISSIPPI CODE OF 1972, TO  
2 CREATE AS A PRIMARY VIOLATION FAILURE TO USE PROPER RESTRAINT IN A  
3 MOVING MOTOR VEHICLE; TO REPEAL SECTION 63-2-3, MISSISSIPPI CODE  
4 OF 1972, WHICH PROVIDES THAT THE SEAT BELT CHAPTER DOES NOT ITSELF  
5 CREATE A STANDARD OF CARE, NOR SHALL FAILURE TO USE A SEAT BELT  
6 CONSTITUTE CONTRIBUTORY OR COMPARATIVE NEGLIGENCE; AND FOR RELATED  
7 PURPOSES.

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

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

11 63-2-7. (1) A violation of this chapter shall be a  
12 misdemeanor, punishable by a fine of Twenty-five Dollars (\$25.00)  
13 upon conviction; however, only the operator of a vehicle may be  
14 fined for a violation of this chapter by the operator or for a  
15 violation of this chapter by a passenger. \* \* \* The maximum fine  
16 that may be imposed against the operator of a vehicle for a  
17 violation of this chapter by the operator or for a violation of  
18 this chapter by one or more passengers shall be Twenty-five  
19 Dollars (\$25.00) in the aggregate.

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

24 SECTION 2. Section 63-2-3, Mississippi Code of 1972, which  
25 provides that the seat belt chapter does not itself create a  
26 standard of care, nor shall failure to use a seat belt constitute  
27 contributory or comparative negligence, is hereby repealed.

28 SECTION 3. This act shall take effect and be in force from  
29 and after July 1, 2001.

