

By: Senator(s) Frazier, Dawkins, Williamson

To: Judiciary

SENATE BILL NO. 2577

1 AN ACT TO AMEND SECTION 63-2-7, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE OFFENSE OF FAILURE TO WEAR A SEAT BELT SO THAT THE
3 OFFENSE IS A PRIMARY ONE; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** The Legislature finds that, according to a
6 National Highway Transportation and Safety Administration survey,
7 observed seat belt use among African Americans is more than four
8 (4) percentage points lower than the national average; that the
9 picture is especially grim for young black males, for whom motor
10 vehicle crashes are the leading cause of death through the age of
11 fourteen (14), and second leading cause of death for those ages
12 fifteen (15) to twenty-four (24); that although black and Hispanic
13 male teenagers travel fewer vehicle miles than their white
14 counterparts, they are nearly twice as likely to die in a motor
15 vehicle crash; that black children ages five (5) through twelve
16 (12) face a risk of dying in a motor vehicle crash that is almost
17 three (3) times as great as for white children; that over
18 thirty-one percent (31%) of black high school students report
19 rarely or never wearing safety belts as opposed to only twenty-one
20 percent (21%) of white and eighteen percent (18%) of Hispanic high
21 school students; and that a recent survey showed that motor
22 vehicle crashes accounted for hospital emergency room visits at a
23 rate of twenty-four (24) per thousand (1,000) for African
24 Americans compared to only fourteen (14) per thousand (1,000) for
25 whites.

26 The Legislature further finds that greater seat belt use will
27 significantly reduce unintentional death and injury in the African



28 American community and the state as a whole; and that with a
29 ninety percent (90%) seat belt use across the country, the nation
30 would save a total of Three Hundred Fifty-six Million Dollars
31 (\$356,000,000.00) per year in Medicare and Medicaid costs.

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

34 63-2-7. (1) (a) A violation of this chapter shall be a
35 misdemeanor, punishable by a fine of Twenty-five Dollars (\$25.00)
36 upon conviction; however, only the operator of a vehicle may be
37 fined for a violation of this chapter by the operator or for a
38 violation of this chapter by a passenger. * * *

39 (b) The maximum fine that may be imposed against the
40 operator of a vehicle for a violation of this chapter by the
41 operator or for a violation of this chapter by one or more
42 passengers shall be Twenty-five Dollars (\$25.00) in the aggregate.

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

47 **SECTION 3.** This act shall take effect and be in force from
48 and after July 1, 2003.

