STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

HOUSE BILL NO. 2572 By: Cox

AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S. 1991, Section 12-417, as amended by Section 1, Chapter 290, O.S.L. 1997 (47 O.S. Supp. 1997, Section 12-417), which relates to safety belts; prohibiting routine stops for enforcement of seat belt use; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 47 O.S. 1991, Section 12-417, as amended by Section 1, Chapter 290, O.S.L. 1997 (47 O.S. Supp. 1997, Section 12-417), is amended to read as follows:

Section 12-417. A. Every operator and front seat passenger of a passenger car operated in this state shall wear a properly adjusted and fastened safety seat belt system, required to be installed in the motor vehicle when manufactured pursuant to Federal Motor Vehicle Safety Standard 208. For the purposes of this section, "passenger car" shall mean "vehicle" as defined in Section 1102 of this title, except that "passenger car" shall not include trucks, truck-tractors, recreational vehicles, motorcycles, motorized bicycles or vehicles used primarily for farm use and licensed pursuant to the provisions of Section 1134 of this title.

B. This section shall not apply to an operator or passenger of a passenger car in which the operator or passenger possesses a written verification from a physician licensed in this state that he is unable to wear a safety seat belt system for medical reasons. Provided, the issuance of such verification by a physician, in good faith, shall not give rise to, nor shall such physician thereby incur, any liability whatsoever in damages or otherwise, to any person injured by reason of such failure to wear a safety seat belt system.

C. This section shall not apply to an operator of a motor vehicle who is a route carrier of the U.S. Postal Service.

D. ~~The Department of Public Safety shall not record or assess points for violations of this section on any license holder's traffic record maintained by the Department.~~

~~E. Fine and court costs for violating the provisions of this section shall not exceed Twenty Dollars ($20.00)~~ No law enforcement officer shall make routine stops of motorists for the purpose of enforcing this act.

SECTION 2. This act shall become effective November 1, 1998.

46-2-8345 LAC