

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

HOUSE BILL HB1982

By: Leist

AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S. 2001, Section 12-417, which relates to mandatory seat belt usage; limiting enforcement provisions for municipalities; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 2001, Section 12-417, is amended to read as follows:

Section 12-417. A. 1. 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 49 C.F.R. §571.208.

2. For the purposes of this section, "passenger car" shall mean "vehicle" as defined in Section 1102 of this title. "Passenger car" shall include the passenger compartment of pickups, vans, minivans, and sport utility vehicles. "Passenger car" shall not include trucks, truck-tractors, recreational vehicles, motorcycles, or motorized bicycles. "Passenger car" shall not include a vehicle used primarily for farm use which is registered and licensed pursuant to the provisions of Section 1134 of this title.

B. This section shall not apply to any person who possesses a written verification from a physician licensed in this state that the person 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 while performing official duties as 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).

F. Municipalities may enact and municipal police officers may enforce ordinances prohibiting and penalizing conduct under provisions of this section, but the provisions of those ordinances shall be the same as provided for in this section, and the enforcement provisions under those ordinances shall not be more stringent than those of this section.

SECTION 2. This act shall become effective November 1, 2002.

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