

3 Senate Bill No. 1335

4 SENATE BILL NO. 1335 - By: GARRISON of the Senate and NANCE of the  
5 House.

6 An Act relating to motor vehicles; amending 47 O.S. 2001,  
7 Section 12-417, as last amended by Section 10, Chapter 190,  
8 O.S.L. 2005 (47 O.S. Supp. 2005, Section 12-417) which  
9 relates to the Oklahoma Mandatory Seat Belt Use Act;  
10 increasing fine; and providing an effective date.

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

12 SECTION 1. AMENDATORY 47 O.S. 2001, Section 12-417, as  
13 last amended by Section 10, Chapter 190, O.S.L. 2005 (47 O.S. Supp.  
14 2005, Section 12-417), is amended to read as follows:

15 Section 12-417. A. 1. Every operator and front seat passenger  
16 of a passenger car operated in this state shall wear a properly  
17 adjusted and fastened safety seat belt system, required to be  
18 installed in the motor vehicle when manufactured pursuant to 49  
19 C.F.R., Section 571.208.

20 2. For the purposes of this section, "passenger car" shall mean  
21 "vehicle" as defined in Section 1102 of this title. "Passenger car"  
22 shall include the passenger compartment of pickups, vans, minivans,  
23 and sport utility vehicles. "Passenger car" shall not include  
24 trucks, truck-tractors, recreational vehicles, motorcycles, or  
25 motorized bicycles. "Passenger car" shall not include a vehicle

1 used primarily for farm use which is registered and licensed  
2 pursuant to the provisions of Section 1134 of this title.

3 B. The Commissioner of Public Safety, upon application from a  
4 person who, for medical reasons, is unable to wear a safety seat  
5 belt system supported by written attestation of such fact from a  
6 physician licensed pursuant to Section 495 of Title 59 of the  
7 Oklahoma Statutes, may issue to the person an exemption from the  
8 provisions of this section. The exemption shall be in the form of a  
9 restriction appearing on the driver license of the person and shall  
10 remain in effect until the expiration date of the driver license.  
11 Nothing in this subsection shall be construed to prevent the person  
12 from applying for another exemption as provided for in this section.  
13 The issuance of an attestation by a physician and the subsequent  
14 issuance of an exemption by the Commissioner, in good faith, shall  
15 not give rise to, nor shall the physician and the state thereby  
16 incur, any liability whatsoever in damages or otherwise, to any  
17 person injured by reason of failure of the person to wear a safety  
18 seat belt system.

19 C. This section shall not apply to an operator of a motor  
20 vehicle while performing official duties as a route carrier of the  
21 U.S. Postal Service.

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

4 E. Fine and court costs for violating the provisions of this  
5 section shall not exceed ~~Twenty Dollars (\$20.00)~~ Fifty Dollars  
6 (\$50.00).

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

13 SECTION 2. This act shall become effective November 1, 2006.

14 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY AND HOMELAND  
15 SECURITY, dated 2-13-06 - DO PASS, As Coauthored.