

3 **Senate Bill No. 1420**
4 **As Amended**

5 SENATE BILL NO. 1420 - By: CORN of the Senate and ROAN of the House.

6 [motor vehicles - Oklahoma Mandatory Seat Belt Use Act -
7 increasing fine - effective date]

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

9 SECTION 1. AMENDATORY 47 O.S. 2001, Section 12-417, as
10 last amended by Section 10, Chapter 190, O.S.L. 2005 (47 O.S. Supp.
11 2005, Section 12-417), is amended to read as follows:

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

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

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

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

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

1 E. ~~Fine and court costs for violating~~ Any violation of the
2 provisions of this section shall ~~not exceed Twenty Dollars (\$20.00)~~
3 be punishable by a fine of Fifty Dollars (\$50.00). Thirty Dollars
4 (\$30.00) of said fine shall be deposited to the Department of Public
5 Safety Revolving Fund for the purpose of funding Oklahoma Highway
6 Patrol Academies and other law enforcement officer training and
7 continuing education.

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

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

15 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 2-15-06 - DO
16 PASS, As Amended and Coauthored.