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SENATE BILL NO. 339

and

An Act relating to motor vehicles; amending 47 O.S. 2011, Section 12-417, as amended by Section 7, Chapter 207, O.S.L. 2012 (47 O.S. Supp. 2020, Section 12-417), which relates to required safety belts; modifying requirements; providing for certain admissibility; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 12-417, as amended by Section 7, Chapter 207, O.S.L. 2012 (47 O.S. Supp. 2020, Section 12-417), is amended to read as follows:

Section 12-417. A. 1. Every operator and front seat passenger of a Class A commercial motor vehicle, Class B commercial motor vehicle, Class C commercial motor vehicle or a passenger vehicle 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., Section 571.208.

1 2. Every passenger seventeen (17) years of age and younger in
2 the back seat of a passenger vehicle shall wear a properly adjusted
3 and fastened safety seat belt, unless otherwise provided for in a
4 child passenger restraint system as required pursuant to Section 11-
5 1112 of this title. A violation of the provisions of this paragraph
6 shall be admissible as evidence in any civil action or proceeding as
7 provided in paragraph D of Section 11-1112 of this title.

8 3. For the purposes of this section, "passenger vehicle" shall
9 mean a Class D motor vehicle, but shall not include trucks, truck-
10 tractors, recreational vehicles, motorcycles, ~~or~~ motorized bicycles,
11 or a vehicle used primarily for farm use which is registered and
12 licensed pursuant to the provisions of Section 1134 of this title.

13 B. The Commissioner of Public Safety, upon application from a
14 person who, for medical reasons, is unable to wear a safety seat
15 belt system supported by written attestation of such fact from a
16 physician licensed pursuant to Section 495 of Title 59 of the
17 Oklahoma Statutes, may issue to the person an exemption from the
18 provisions of this section. The exemption shall be in the form of a
19 restriction appearing on the driver license of the person and shall
20 remain in effect until the expiration date of the driver license.
21 Nothing in this subsection shall be construed to prevent the person
22 from applying for another exemption as provided for in this section.
23 The issuance of an attestation by a physician and the subsequent
24 issuance of an exemption by the Commissioner, in good faith, shall

1 not give rise to, nor shall the physician and the state thereby
2 incur, any liability whatsoever in damages or otherwise, to any
3 person injured by reason of failure of the person to wear a safety
4 seat belt system.

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

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

11 E. Fine and court costs for violating the provisions of this
12 section shall not exceed Twenty Dollars (\$20.00).

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

19 SECTION 2. This act shall become effective November 1, 2021.

20 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
21 February 22, 2021 - DO PASS
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