

1 ENGROSSED SENATE
2 BILL NO. 681

By: Pederson and Hicks of the
Senate

3 and

4 Ford of the House

5
6 An Act relating to motor vehicles; amending 47 O.S.
7 2021, Section 12-417, as amended by Section 97,
8 Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2022, Section
9 12-417), which relates to required safety belts;
10 modifying requirements; and declaring an emergency.

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

12 SECTION 1. AMENDATORY 47 O.S. 2021, Section 12-417, as
13 amended by Section 97, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2022,
14 Section 12-417), is amended to read as follows:

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

21 2. Every passenger sixteen (16) years of age and younger in the
22 back seat of a passenger vehicle shall wear a properly adjusted and
23 fastened safety seat belt, unless otherwise provided for in a child
24 passenger restraint system as required pursuant to Section 11-1112
of this title.

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

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

22 C. This section shall not apply to an operator of a motor
23 vehicle while performing official duties as a route carrier of the
24 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 Service Oklahoma.

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

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

12 SECTION 2. It being immediately necessary for the preservation
13 of the public peace, health or safety, an emergency is hereby
14 declared to exist, by reason whereof this act shall take effect and
15 be in full force from and after its passage and approval.

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1 Passed the Senate the 21st day of March, 2023.

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Presiding Officer of the Senate

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5 Passed the House of Representatives the ____ day of _____,

6 2023.

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Presiding Officer of the House
of Representatives

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