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3 SENATE TRANSPORTATION & ENERGY COMMITTEE SUBSTITUTE FOR SB254  
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8 SYNOPSIS: Under existing law, the front seat occupant  
9 of a passenger car manufactured in compliance with  
10 Federal Motor Vehicle Standard No. 208 is required  
11 to have a safety belt fastened while the vehicle is  
12 in motion. Children under the age of 15 in a motor  
13 vehicle are required to wear a seat belt or be  
14 protected by another child passenger restraint  
15 system.

16 This bill would require each occupant of a  
17 passenger motor vehicle to have a safety belt  
18 fastened while the vehicle is in motion.

19 Amendment 621 of the Constitution of Alabama  
20 of 1901, now appearing as Section 111.05 of the  
21 Official Recompilation of the Constitution of  
22 Alabama of 1901, as amended, prohibits a general  
23 law whose purpose or effect would be to require a  
24 new or increased expenditure of local funds from  
25 becoming effective with regard to a local  
26 governmental entity without enactment by a 2/3 vote  
27 unless: it comes within one of a number of

1 specified exceptions; it is approved by the  
2 affected entity; or the Legislature appropriates  
3 funds, or provides a local source of revenue, to  
4 the entity for the purpose.

5 The purpose or effect of this bill would be  
6 to require a new or increased expenditure of local  
7 funds within the meaning of the amendment. However,  
8 the bill does not require approval of a local  
9 governmental entity or enactment by a 2/3 vote to  
10 become effective because it comes within one of the  
11 specified exceptions contained in the amendment.

12  
13 A BILL  
14 TO BE ENTITLED  
15 AN ACT  
16

17 To amend Section 32-5B-4 of the Code of Alabama  
18 1975, to further require each occupant of passenger cars  
19 manufactured with safety belts to have a safety belt fastened  
20 when the vehicle is in motion; and in connection therewith  
21 would have as its purpose or effect the requirement of a new  
22 or increased expenditure of local funds within the meaning of  
23 Amendment 621 of the Constitution of Alabama of 1901, now  
24 appearing as Section 111.05 of the Official Recompilation of  
25 the Constitution of Alabama of 1901, as amended.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1           Section 1. This act shall be known and may be cited  
2 as the Roderic Deshaun Scott Seat Belt Safety Act.

3           Section 2. Section 32-5B-4 of the Code of Alabama  
4 1975, is amended to read as follows:

5           "§32-5B-4.

6           "(a) (1) Each ~~front seat~~ occupant of a passenger car  
7 manufactured with safety belts in compliance with Federal  
8 Motor Vehicle Safety Standard No. 208 shall have a safety belt  
9 properly fastened about his or her body at all times when the  
10 vehicle is in motion.

11           "(2) An adult occupant of a passenger car in  
12 violation of subdivision (1) shall be the proper person to be  
13 charged with the violation.

14           "(b) The provisions of subsection (a) shall not  
15 apply to:

16           "(1) A child passenger under the purview of Section  
17 32-5-222, who is required to use a child passenger restraint  
18 system or a seat belt pursuant to Section 32-5-222.

19           "(2) An occupant of a passenger car who possesses a  
20 written statement from a licensed physician that he or she is  
21 unable for medical reasons to wear a safety belt.

22           "(3) A rural letter carrier of the United States  
23 Postal Service while performing his or her duties as a rural  
24 letter carrier.

25           "(4) A driver or passenger delivering newspapers or  
26 mail from house to house.

1                   "(5) Passengers in a passenger car with model year  
2 prior to 1965.

3                   "(6) Passengers in motor vehicles which normally  
4 operate in reverse."

5                   Section 3. Although this bill would have as its  
6 purpose or effect the requirement of a new or increased  
7 expenditure of local funds, the bill is excluded from further  
8 requirements and application under Amendment 621, now  
9 appearing as Section 111.05 of the Official Recompilation of  
10 the Constitution of Alabama of 1901, as amended, because the  
11 bill defines a new crime or amends the definition of an  
12 existing crime.

13                   Section 4. This act shall become effective on the  
14 first day of the third month following its passage and  
15 approval by the Governor, or its otherwise becoming law.