

1 SB254  
2 199458-3  
3 By Senator Burkette  
4 RFD: Transportation and Energy  
5 First Read: 09-APR-19

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4 ENGROSSED

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7 A BILL  
8 TO BE ENTITLED  
9 AN ACT

10  
11 To amend Section 32-5B-4 of the Code of Alabama  
12 1975, to further require each occupant of passenger cars  
13 manufactured with safety belts to have a safety belt fastened  
14 when the vehicle is in motion; and in connection therewith  
15 would have as its purpose or effect the requirement of a new  
16 or increased expenditure of local funds within the meaning of  
17 Amendment 621 of the Constitution of Alabama of 1901, now  
18 appearing as Section 111.05 of the Official Recompilation of  
19 the Constitution of Alabama of 1901, as amended.

20 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

23 Section 2. Section 32-5B-4 of the Code of Alabama  
24 1975, is amended to read as follows:

25 "§32-5B-4.

26 "(a) (1) Each ~~front seat~~ occupant of a passenger car  
27 manufactured with safety belts in compliance with Federal

1 Motor Vehicle Safety Standard No. 208 shall have a safety belt  
2 properly fastened about his or her body at all times when the  
3 vehicle is in motion.

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

7 (3) Notwithstanding any other provisions of this  
8 section, a violation of this section in any seat other than a  
9 front seat of a vehicle shall be a secondary violation after a  
10 lawful stop of the vehicle based on probable cause of another  
11 violation of law and the issuance of a citation or warrant of  
12 arrest for the violation.

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

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

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

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

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

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

1                   "(6) Passengers in motor vehicles which normally  
2 operate in reverse."

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

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

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Senate

Read for the first time and referred to the Senate  
committee on Transportation and Energy..... 09-APR-19

Read for the second time and placed on the calen-  
dar with 1 substitute and 1 amendment..... 18-APR-19

Read for the third time and passed as amended .... 21-MAY-19

Yeas 26  
Nays 0

Patrick Harris,  
Secretary.