

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 344*
Committee Substitute Favorable 4/29/97

Short Title: Motor Vehicle Occupant Restraints.

(Public)

Sponsors:

Referred to:

February 26, 1997

A BILL TO BE ENTITLED

AN ACT TO ENHANCE MOTOR VEHICLE OCCUPANT RESTRAINT SAFETY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-135.2A(a) reads as rewritten:

"(a) Each front seat occupant who is 16 years of age or older and each driver of a passenger motor vehicle manufactured with seat safety belts ~~in compliance with Federal Motor Vehicle Safety Standard No. 208~~ shall have such a safety belt properly fastened about his body at all times when the vehicle is in forward motion on a street or highway in this State. ~~Each driver of a passenger motor vehicle manufactured with seat safety belts in compliance with Federal Motor Vehicle Safety Standard No. 208, who is transporting in the front seat a person who is (1) under 16 years of age and (2) not required to be restrained in accordance with G.S. 20-137.1, shall have the person secured by such a safety belt at all times when the vehicle is operated in forward motion on a street or highway in this State. Persons required to be restrained in accordance with G.S. 20-137.1 shall be secured as required by that section.~~"

Section 2. G.S. 20-135.2A(e) reads as rewritten:

"(e) ~~Any person violating this section during the period from October 1, 1985, to December 31, 1986, shall be given a warning of violation only. Thereafter, any person violating~~ Any driver or passenger who fails to wear a seat belt as required by this section shall have committed an infraction and shall pay a fine penalty of twenty-five dollars

1 ~~(\$25.00)- fifty dollars (\$50.00). An infraction is an unlawful act that is not a crime. The~~
2 ~~procedure for charging and trying an infraction is the same as for a misdemeanor, but~~
3 ~~conviction of an infraction has no consequence other than payment of a fine. A person~~
4 ~~convicted of an infraction found responsible for a violation of this section may not be~~
5 ~~assessed court costs."~~

6 Section 3. G.S. 20-137.1(a) reads as rewritten:

7 "(a) Every driver who is transporting a child of less than ~~12-16~~ years of age shall
8 have the child properly secured in ~~a child-an age-appropriate passenger restraint system~~
9 ~~(car safety seat) which meets federal standards applicable at the time of its manufacture. The~~
10 ~~requirements of this section may be met when the child is four years of age or older by securing~~
11 ~~the child in a seat safety belt-system.~~

12 When a child is less than five years of age and less than 60 pounds in weight, the
13 requirements of this section shall be met by securing the child in a car safety seat which
14 meets federal standards applicable at the time of its manufacture.

15 When a child is five years of age or older or is 60 pounds or more in weight, the
16 requirements of this section may be met by securing the child in a seat safety belt."

17 Section 4. This act becomes effective July 1, 1998.