

1 HB285
2 198152-1
3 By Representative Sells
4 RFD: Public Safety and Homeland Security
5 First Read: 21-MAR-19

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8 SYNOPSIS: Existing law imposes a fine on a person who
9 rides in the front seat of a passenger car without
10 wearing a safety belt.

11 This bill would increase the fine for a seat
12 belt violation.

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14 A BILL
15 TO BE ENTITLED
16 AN ACT

17
18 Relating to the Alabama Safety Belt Use Act of 1991;
19 to amend Sections 32-5B-5 and 32-5B-8, Code of Alabama 1975,
20 to increase the fine for a person who rides in the front seat
21 of a passenger car without wearing his or her safety belt.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. Sections 32-5B-5 and 32-5B-8, Code of
24 Alabama 1975, are amended to read as follows:

25 "§32-5B-5.

26 "Any person violating ~~the provisions of this chapter~~
27 ~~may shall~~ be fined up to ~~\$25.00~~ one hundred dollars (\$100).

1 The violation of ~~the provisions of~~ this chapter shall not
2 constitute probable cause for search of the vehicle involved.

3 "§32-5B-8.

4 "(a) A person subject to a penalty pursuant to
5 Section 32-5B-5, shall not be assessed court costs on a
6 conviction.

7 "(b) In any case brought by a law enforcement
8 officer employed by the ~~Department of Public Safety, sixty~~
9 ~~percent (60%)~~ Alabama State Law Enforcement Agency, 60 percent
10 of the funds generated shall be allocated to the ~~Department of~~
11 ~~Public Safety, Law Enforcement Division. The~~ Alabama State Law
12 Enforcement Agency, and the remaining ~~forty~~ 40 percent ~~(40%)~~
13 ~~of the funds~~ shall be allocated to the State General Fund.

14 "(c) A law enforcement officer may not search or
15 inspect a motor vehicle, its content, the driver, or a
16 passenger solely because of a violation of this chapter.

17 "(d) Each state, county, and municipal police
18 department must maintain statistical information on traffic
19 stops of this nature on minorities and report that information
20 monthly to the ~~Department of Public Safety~~ Alabama State Law
21 Enforcement Agency and the Attorney General."

22 Section 2. This act shall become effective on
23 October 1, 2019, following its passage and approval by the
24 Governor, or its otherwise becoming law.