

1 HB602
2 186769-1
3 By Representative Sells
4 RFD: Ways and Means General Fund
5 First Read: 11-MAY-17

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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 and would
12 provide for the distribution of the additional
13 proceeds.

14
15 A BILL
16 TO BE ENTITLED
17 AN ACT

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

25 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

1 "§32-5B-5.

2 "Any person violating ~~the provisions of this chapter~~
3 ~~may shall~~ be fined ~~up to \$25.00~~ one hundred dollars (\$100).
4 The violation of ~~the provisions of this chapter~~ shall not
5 constitute probable cause for search of the vehicle involved.

6 "§32-5B-8.

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

10 "(b) (1) In any case brought by a law enforcement
11 officer employed by the ~~Department of Public Safety, sixty~~
12 Alabama State Law Enforcement Agency, twenty-five dollars
13 (\$25) of each fine shall be distributed as follows: 60 percent
14 ~~(60%) of the funds generated~~ shall be allocated to the
15 ~~Department of Public Safety, Law Enforcement Division. The~~
16 Alabama State Law Enforcement Agency and the remaining forty
17 40 percent ~~(40%) of the funds~~ shall be allocated to the State
18 General Fund.

19 "(2) Seventy-five dollars (\$75) of each fine shall
20 be distributed as follows: The first one hundred fifty
21 thousand dollars (\$150,000) collected each fiscal year shall
22 be allocated on an annual basis to the Alabama State Law
23 Enforcement Agency for safety belt education and the remainder
24 collected each fiscal year shall be allocated to the Alabama
25 State Law Enforcement Agency for law enforcement purposes.

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

4 "(d) Each state, county, and municipal police
5 department must maintain statistical information on traffic
6 stops of this nature on minorities and report that information
7 monthly to the Department of Public Safety and the Attorney
8 General."

9 Section 2. This act shall become effective on
10 October 1, 2017, following its passage and approval by the
11 Governor, or its otherwise becoming law.