

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

1 SB254

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4 ENROLLED, An Act,

5 To amend Section 32-5B-4 of the Code of Alabama  
6 1975, to further require each occupant of passenger cars  
7 manufactured with safety belts to have a safety belt fastened  
8 when the vehicle is in motion; and in connection therewith  
9 would have as its purpose or effect the requirement of a new  
10 or increased expenditure of local funds within the meaning of  
11 Amendment 621 of the Constitution of Alabama of 1901, now  
12 appearing as Section 111.05 of the Official Recompilation of  
13 the Constitution of Alabama of 1901, as amended.

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

17 Section 2. Section 32-5B-4 of the Code of Alabama  
18 1975, is amended to read as follows:

19 "§32-5B-4.

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

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

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

10           (b) The provisions of subsection (a) shall not  
11 apply to:

12           (1) A child passenger under the purview of Section  
13 32-5-222, who is required to use a child passenger restraint  
14 system or a seat belt pursuant to Section 32-5-222.

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

18           (3) A rural letter carrier of the United States  
19 Postal Service while performing his or her duties as a rural  
20 letter carrier.

21           (4) A driver or passenger delivering newspapers or  
22 mail from house to house.

23           (5) Passengers in a passenger car with model year  
24 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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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

SB254

Senate 21-MAY-19

I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris,  
Secretary.

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House of Representatives  
Passed: 30-MAY-19

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By: Senator Burkette