

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 SENATE BILL 119

By: Yen

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5
6 AS INTRODUCED

7 An Act relating to safety belts; amending 47 O.S
8 2011, Section 12-417, as amended by Section 7,
9 Chapter 207, O.S.L. 2012 (47 O.S. Supp. 2016, Section
10 12-417), which relates to safety belt requirements;
11 modifying fine; and providing an effective date.

12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 47 O.S. 2011, Section 12-417, as
14 amended by Section 7, Chapter 207, O.S.L. 2012 (47 O.S. Supp. 2016,
15 Section 12-417), is amended to read as follows:

16 Section 12-417. A. 1. Every operator and front seat passenger
17 of a Class A commercial motor vehicle, Class B commercial motor
18 vehicle, Class C commercial motor vehicle or a passenger vehicle
19 operated in this state shall wear a properly adjusted and fastened
20 safety seat belt system, required to be installed in the motor
21 vehicle when manufactured pursuant to 49 C.F.R., Section 571.208.

22 2. For the purposes of this section, "passenger vehicle" shall
23 mean a Class D motor vehicle, but shall not include trucks, truck-
24 tractors, recreational vehicles, motorcycles, or motorized bicycles,

1 or a vehicle used primarily for farm use which is registered and
2 licensed pursuant to the provisions of Section 1134 of this title.

3 B. The Commissioner of Public Safety, upon application from a
4 person who, for medical reasons, is unable to wear a safety seat
5 belt system supported by written attestation of such fact from a
6 physician licensed pursuant to Section 495 of Title 59 of the
7 Oklahoma Statutes, may issue to the person an exemption from the
8 provisions of this section. The exemption shall be in the form of a
9 restriction appearing on the driver license of the person and shall
10 remain in effect until the expiration date of the driver license.
11 Nothing in this subsection shall be construed to prevent the person
12 from applying for another exemption as provided for in this section.
13 The issuance of an attestation by a physician and the subsequent
14 issuance of an exemption by the Commissioner, in good faith, shall
15 not give rise to, nor shall the physician and the state thereby
16 incur, any liability whatsoever in damages or otherwise, to any
17 person injured by reason of failure of the person to wear a safety
18 seat belt system.

19 C. This section shall not apply to an operator of a motor
20 vehicle while performing official duties as a route carrier of the
21 U.S. Postal Service.

22 D. The Department of Public Safety shall not record or assess
23 points for violations of this section on any license holder's
24 traffic record maintained by the Department.

1 E. ~~Fine and court costs for violating the provisions of this~~
2 ~~section shall not exceed Twenty Dollars (\$20.00) Any person~~
3 violating the provisions of this section shall be fined One Hundred
4 Dollars (\$100.00), to be collected by the court clerk without
5 assessment of any costs or fees, and deposited to the Department of
6 Public Safety Oklahoma Highway Patrol Academy Fund to further the
7 interests of public safety including, but not limited to, hiring new
8 troopers, purchasing equipment and training. The collection of
9 these fees is intended to augment the state's appropriation for the
10 Oklahoma Highway Patrol Revolving Fund.

11 F. Municipalities may enact and municipal police officers may
12 enforce ordinances prohibiting and penalizing conduct under
13 provisions of this section, but the provisions of those ordinances
14 shall be the same as provided for in this section, and the
15 enforcement provisions under those ordinances shall not be more
16 stringent than those of this section.

17 SECTION 2. This act shall become effective November 1, 2017.

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