

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 344*
Committee Substitute Favorable 4/29/97
Committee Substitute #2 Favorable 4/30/97

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

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

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

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

13 When a child is less than five years of age and less than 60 pounds in weight, the
14 requirements of this section shall be met by securing the child in a car safety seat which
15 meets federal standards applicable at the time of its manufacture. The car safety seat
16 shall be secured in a rear seat of the vehicle if the vehicle has a rear seat that will
17 accommodate a car safety seat.

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

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