

A008-0607

10 AN ACT CONCERNING

20 **Vehicle Laws– Seatbelt Requirements for Motor Vehicles Drivers and Passengers-Repeal**

30 FOR the purpose of repealing a provision that allows for motor vehicles passengers to be traveling
40 in the vehicle without a seatbelt.

50 BY repealing and reenacting, with amendments,
60 Article- Transportation
70 Section 22-412.3
80 Annotated Code of Maryland
90 (2003 Volume and 2005 Supplement)

100 SECTION 1. BE IT ENACTED BY THE MARYLAND STUDENT LEGISLATURE,
110 That the Laws of Maryland read as follows:

120 **§ 22-412.3.**

130 (a)(1) In this section the following words have the meanings indicated.

140 (2) (i) "Motor vehicle" means a vehicle that is:

- 150 1. Registered or capable of being registered in this State as a Class A (passenger),
160 Class E (truck), Class F (tractor), Class M (multipurpose), or Class P (passenger bus
170 vehicle; and
- 180 2. Required to be equipped with seat belts under federal motor vehicle safety
190 standards contained in the Code of Federal Regulations.

200 (ii) "Motor vehicle" does not include a Class L (historic) vehicle.

210 (3) "Outboard front seat" means a front seat position that is adjacent to a door of a motor vehicle.

220 (4) (i) "Seat belt" means a restraining device described under § 22-412 of this subtitle.

230 (ii) "Seat belt" includes a combination seat belt-shoulder harness.

240 (b) A person may not operate a motor vehicle unless the person and each occupant ~~under 16~~
250 ~~years old are~~ IS restrained by a seat belt or a child safety seat as provided in § 22-412.2 of
260 this subtitle.

270 ~~(c) (1) The provisions of this subsection apply to a person who is at least 16 years old.~~

280 ~~(2) Unless a person is restrained by a seat belt, the person may not be a passenger in an~~
290 ~~outboard front seat of a motor vehicle.~~

300 ~~(b) A person who violates the provisions of this subsection shall be subject to the penalties~~
310 ~~under Title 27 of this article.~~

320 (C) A PERSON WHO VIOLATES THE PROVISIONS OF THIS SECTION SHALL BE
330 SUBJECT TO PENALTIES UNDER TITLE 27 OF THIS ARTICLE.

340 (D) A violation of this section is not considered a moving violation for purposes of § 16-402 of

350 this article.

360 (E) The Administration and the Department of State Police shall establish prevention and
education
370 programs to encourage compliance with the provisions of this section.

380 **§ 27-101.**

390 (a) It is a misdemeanor for any person to violate any of the provisions of the Maryland Vehicle
400 Law unless the violation:

410 (1) Is declared to be a felony by the Maryland Vehicle Law or by any other law of this State; or

420 (2) Is punishable by a civil penalty under the applicable provision of the Maryland Vehicle Law.

430 (b) Except as otherwise provided in this section, any person convicted of a misdemeanor for the
450 violation of any of the provisions of the Maryland Vehicle Law is subject to a fine of not
460 more than \$500.

470 (C) Exceptions to this section will only be after a recommendation by a licensed medical
480 professional for a medical condition.

470 SECTION 2. BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2008.

480 **MANDATES:** Martin O'Malley, Governor, State of Maryland
490 Thomas V. Mike Miller, Jr., President, Maryland State Senate
500 Michael E. Busch, Speaker, Maryland House of Delegates
510 Edward J. Kasemeyer, Majority Leader, Maryland State Senate
520 David R. Brinkley, Minority Leader, Maryland State Senate
530 Kumar P. Barve, Majority Leader, Maryland House of Delegates
540 Anthony J. O'Donnell, Minority Leader, Maryland House of Delegates

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