

SENATE BILL 653

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R6  
SB 6/01 - JPR

2004 Regular Session  
4r1528

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By: **Senators Ruben and Forehand**  
Introduced and read first time: February 6, 2004  
Assigned to: Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Mandatory Seat Belt Use**

3 FOR the purpose of expanding the application of certain mandatory seat belt  
4 requirements by prohibiting a person who is at least 16 years old from being a  
5 passenger in any seat of a motor vehicle unless the person is restrained by a seat  
6 belt; limiting a police officer to enforcing a violation of certain mandatory seat  
7 belt use laws only as a secondary action when the police officer detains a driver  
8 suspected of violating another provision of law; and generally relating to  
9 mandatory seat belt use.

10 BY repealing and reenacting, with amendments,  
11 Article - Transportation  
12 Section 22-412.3(a) and (c)  
13 Annotated Code of Maryland  
14 (2002 Replacement Volume and 2003 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Transportation**

18 22-412.3.

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

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

21 1. Registered or capable of being registered in this State as a  
22 Class A (passenger), Class E (truck), Class F (tractor), Class M (multipurpose), or  
23 Class P (passenger bus) vehicle; and

24 2. Required to be equipped with seat belts under federal  
25 motor vehicle safety standards contained in the Code of Federal Regulations.

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

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

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

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

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

8 (2) Unless a person is restrained by a seat belt, the person may not be a  
9 passenger in [an outboard front seat of] a motor vehicle.

10 (3) A person who violates the provisions of this subsection shall be  
11 subject to the penalties under Title 27 of this article.

12 (4) (I) A POLICE OFFICER MAY ENFORCE THE PROVISIONS OF THIS  
13 SUBSECTION THAT REQUIRE PASSENGERS IN A REAR SEAT OF A MOTOR VEHICLE TO  
14 BE RESTRAINED BY A SEAT BELT ONLY AS A SECONDARY ACTION WHEN THE POLICE  
15 OFFICER DETAINS A DRIVER OF A MOTOR VEHICLE FOR ANOTHER SUSPECTED  
16 VIOLATION OF THE CODE.

17 (II) SUBPARAGRAPH (I) OF THIS PARAGRAPH DOES NOT LIMIT THE  
18 ENFORCEMENT OF MANDATORY SEAT BELT REQUIREMENTS FOR FRONT SEAT  
19 PASSENGERS AS A PRIMARY ACTION.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
21 effect October 1, 2004.