

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE

Senate Bill 653 (Senators Ruben and Forehand)
Judicial Proceedings

Vehicle Laws - Mandatory Seat Belt Use

This bill expands the application of the mandatory seat belt requirement by prohibiting a person who is at least 16 years old from being a passenger in any seat of a motor vehicle without wearing a seat belt.

The bill specifies that a violation of the seat belt requirement for back seat passengers may only be enforced as a secondary violation when a police officer detains a driver of the vehicle for another suspected motor vehicle violation.

Fiscal Summary

State Effect: Minimal general fund revenue increase from the penalty provision applicable to this offense under the Maryland Vehicle Law (\$25). Enforcement could be handled with existing resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Only those adult passengers in the outboard front seats in the motor vehicle and passengers under 16 years old in any seat in the motor vehicle must be restrained by a seat belt.

Background: In fiscal 2003, the District Court processed 135,055 citations for seat belt violations. Of these, only 9,315 were issued for passenger use of a seatbelt. The State Highway Administration advises that the State has never faced a federal sanction or failed to qualify for federal funding because the current seat belt law covers only drivers and out-board front-seat passengers. At this time there are no federal proposals to restrict federal funding to states that mandate seat belt use of only front seat passengers.

Additional Information

Prior Introductions: This bill is a reintroduction of SB 6 from the 2001 session. SB 6 was referred to the Judicial Proceedings Committee, where it received an unfavorable report. This bill was introduced as SB 115 in 2000 and received an unfavorable report from the Senate Judicial Proceedings Committee. A similar bill, SB 26, was introduced in 1999 and received an unfavorable report from the Judicial Proceedings Committee.

Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts), Department of State Police, Maryland Department of Transportation, Department of Legislative Services

Fiscal Note History: First Reader - February 23, 2004
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