

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE

Senate Bill 560 (Senator Ruben, *et al.*)
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 a motor vehicle and passengers under 16 years old in any seat in a motor vehicle must be restrained by a seat belt.

Background: In fiscal 2004, the District Court processed 142,962 citations for seat belt violations. Of these, only 9,821 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 outboard 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 653 of 2004, which received an unfavorable report from the Judicial Proceedings Committee. Another prior introduction, SB 6 of 2001, received an unfavorable report from the Judicial Proceedings Committee, as did SB 115 of 2000.

Cross File: None

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

Fiscal Note History: First Reader - March 7, 2005
mam/jr

Analysis by: Karen D. Morgan

Direct Inquires to:
(410) 946-5510
(301) 970-5510