

# HOUSE BILL 12

R5, R6

8lr0301

(PRE-FILED)

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By: **Delegate Benson**

Requested: July 16, 2007

Introduced and read first time: January 9, 2008

Assigned to: Environmental Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Required Use of Safety Restraints – Penalty for Violation**

3 FOR the purpose of increasing the maximum fine that may be imposed for a violation  
4 of certain provisions of law requiring the use of a seat belt by the driver and the  
5 outboard front seat passenger in a motor vehicle; repealing redundant language  
6 requiring that certain children be secured in a certain manner while being  
7 transported in a motor vehicle; and generally relating to the required use of  
8 safety restraints by occupants of motor vehicles.

9 BY repealing and reenacting, without amendments,  
10 Article – Transportation  
11 Section 22–412.2(e) and 22–412.3(a) and (c)  
12 Annotated Code of Maryland  
13 (2006 Replacement Volume and 2007 Supplement)

14 BY repealing and reenacting, with amendments,  
15 Article – Transportation  
16 Section 22–412.3(b) and 27–106(b)  
17 Annotated Code of Maryland  
18 (2006 Replacement Volume and 2007 Supplement)

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

21 **Article – Transportation**

22 22–412.2.

23 (e) A person may not transport a child under the age of 16 years unless the  
24 child is secured in:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) A child safety seat in accordance with the child safety seat and  
2 vehicle manufacturers' instructions; or

3 (2) A seat belt.

4 22-412.3.

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

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

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

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

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

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

15 (4) (i) "Seat belt" means a restraining device described under §  
16 22-412 of this subtitle.

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

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

22 (c) (1) The provisions of this subsection apply to a person who is at least  
23 16 years old.

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

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

28 27-106.

29 (b) Any person who is convicted of a violation of § 22-412.3 of this article is  
30 subject to a fine of not more than [~~\$25~~] **\$50**, including court costs.

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