

Department of Legislative Services
Maryland General Assembly
2014 Session

FISCAL AND POLICY NOTE

Senate Bill 723

(Senator Gladden)

Judicial Proceedings

Vehicle Laws - Seat Belt Use - Exemption for Individuals Delivering Printed Publications

This bill expands the exemption from the requirement to wear seat belts while operating a motor vehicle to an individual, who, in the regular course of employment, delivers newspapers, phone books, or other printed publications along a specified route which requires frequent vehicle stops and the exit and reentry of the individual from the vehicle. The exemption applies only if the vehicle speed between stops does not exceed 15 miles per hour.

Fiscal Summary

State Effect: Potential minimal reduction in general fund revenues to the extent that additional individuals are exempt from enforcement of the seat belt requirement. No effect on expenditures, as enforcement can be handled with existing resources.

Local Effect: Enforcement can be handled with existing resources.

Small Business Effect: Potential minimal.

Analysis

Current Law: For purposes of the seat belt requirement, “motor vehicle” means a vehicle that is registered or capable of being registered in this State as a passenger vehicle, a truck, tractor, multipurpose, or passenger bus vehicle and is required to have seat belts under federal motor vehicle safety standards. Historic vehicles are not subject to the mandatory seat belt requirement.

A person may not operate a motor vehicle unless the person and each occupant younger than age 16 are restrained by a seat belt or a child safety seat, as specified. A person who is age 16 or older may not be a passenger in the outboard front or rear seat of a motor vehicle unless restrained by a seat belt. A person who violates these provisions is subject to a maximum fine of \$50, which does not include court costs. The offense is enforceable only as a secondary action.

The mandatory seat belt provisions do not apply to a person if a Maryland licensed physician determines and certifies in writing that the person's disability or another medical reason prevents appropriate restraint by a seat belt. The certification must state the nature of the physical disability and the reason that restraint by a seat belt is inappropriate.

The mandatory seat belt provisions also do not apply to U.S. Postal Service and contract carriers while delivering mail to local box routes. A violation is not a moving violation nor may it be considered evidence of negligence or contributory negligence.

The Motor Vehicle Administration (MVA) and the Department of State Police must establish prevention and education programs to encourage compliance. MVA must include information on the State's experience with seat belt compliance in the annual evaluation report on the State's highway safety plan that is submitted to the National Highway Traffic Safety Administration and the Federal Highway Administration.

Additional Information

Prior Introductions: None.

Cross File: HB 126 (Delegate Rosenberg, *et al.*) - Environmental Matters.

Information Source(s): Baltimore City; Kent, Montgomery, Washington, and Worcester counties; Judiciary (Administrative Office of the Courts); Department of State Police; Department of Legislative Services

Fiscal Note History: First Reader - February 12, 2014
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