

# HOUSE BILL 373

R6

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By: **Delegates Stein, Beidle, Fraser-Hidalgo, and Frush**

Introduced and read first time: January 28, 2016

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicles – Passenger Seat Belt Requirement – Primary Offense**

3 FOR the purpose of making the failure to wear a seat belt in a rear passenger seat of a  
4 motor vehicle a primary offense rather than a secondary offense; requiring a certain  
5 motor vehicle passenger in a front seat position that is not adjacent to a door of the  
6 motor vehicle to be restrained by a seat belt; making conforming changes; and  
7 generally relating to seat belt requirements for passengers in motor vehicles.

8 BY repealing and reenacting, with amendments,

9 Article – Transportation

10 Section 22–412.3(a) and (c)

11 Annotated Code of Maryland

12 (2012 Replacement Volume and 2015 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

14 That the Laws of Maryland read as follows:

15 **Article – Transportation**

16 22–412.3.

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

18 (2) (i) “Motor vehicle” means a vehicle that is:

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

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) “Motor vehicle” does not include a Class L (historic) vehicle.

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

4 (4)] (i) “Seat belt” means a restraining device described under § 22–412  
5 of this subtitle.

6 (ii) “Seat belt” includes a combination seat belt–shoulder harness.

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

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

11 [(3) (i) Unless a person is restrained by a seat belt, the person may not  
12 be a passenger in a rear seat of a motor vehicle.

13 (ii) A police officer may enforce this paragraph only as a secondary  
14 action when the police officer detains a driver of a motor vehicle for a suspected violation  
15 of another provision of the Code.]

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
17 October 1, 2016.