

## Session 114 - (2001-2002)

### S\*0187 (Rat #0148, Act #0065 of 2001) General Bill, By Rankin, Short and Hutto

**Summary:** Safety belts, child passenger restraint system in motor vehicles; belt-positioning booster seat for four-year olds

A BILL TO AMEND SECTION 56-5-6410, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE USE OF A CHILD PASSENGER RESTRAINT SYSTEM IN A MOTOR VEHICLE THAT TRANSPORTS A CHILD UNDER SIX YEARS OF AGE, SO AS TO PROVIDE THAT THIS PROVISION APPLIES TO ALL MOTOR VEHICLES THAT OPERATE ON THE STATE'S HIGHWAYS AND STREETS, TO REVISE AND ESTABLISH THE AGE OR WEIGHT, OR BOTH, OF CHILDREN WHO MUST BE RESTRAINED IN EITHER A REAR-FACING SAFETY SEAT, BELT-POSITIONING BOOSTER SEAT, OR AN ADULT SEAT BELT; TO AMEND SECTION 56-5-6520, RELATING TO THE STATE'S MANDATORY USE OF SEAT BELT REQUIREMENT, SO AS TO REVISE THE AGE OF OCCUPANTS OF A MOTOR VEHICLE WHO MUST WEAR A SEAT BELT, PROVIDE THAT CERTAIN MOTOR VEHICLE OCCUPANTS MUST BE SECURED IN A CHILD RESTRAINT SYSTEM, TO PROVIDE THAT A MOTOR VEHICLE OCCUPANT SEVENTEEN YEARS OF AGE OR YOUNGER WHO POSSESSES A DRIVER'S LICENSE, SPECIAL RESTRICTED LICENSE, OR BEGINNER'S PERMIT AND NOT THE DRIVER IS RESPONSIBLE FOR ENSURING THE OCCUPANT WEARS A SEAT BELT AND MUST BE FINED FOR A VIOLATION OF THIS PROVISION; BY ADDING SECTION 56-5-6525 SO AS TO PROVIDE THAT THE DEPARTMENT OF PUBLIC SAFETY OR ANY OTHER LAW ENFORCEMENT AGENCY MUST NOT USE ANY ENDEAVOR OF SYSTEMATIC CHECKPOINTS OR ROADBLOCKS AS A LAW ENFORCEMENT TOOL WHERE THE PRINCIPAL PURPOSE IS TO DETECT AND ISSUE A TICKET TO A VIOLATOR OF THE STATE'S MANDATORY USE OF SEAT BELT REQUIREMENT; TO AMEND SECTION 56-5-6530, RELATING TO EXCEPTIONS TO THE STATE'S MANDATORY USE OF SEAT BELT REQUIREMENT, SO AS TO PROVIDE THAT A DRIVER OR OCCUPANTS IN A VEHICLE NOT ORIGINALLY EQUIPPED WITH SAFETY BELTS IS EXEMPT FROM THE STATE'S MANDATORY USE OF SEAT BELT REQUIREMENT; AND TO AMEND SECTION 56-5-6540, RELATING TO PENALTIES FOR VIOLATORS OF THE STATE'S MANDATORY USE OF SEAT BELT REQUIREMENT, SO AS TO INCREASE THE MONETARY PENALTY AND PROVIDE A MAXIMUM MONETARY PENALTY, TO PROVIDE THAT A CONVICTION FOR A VIOLATION OF THIS PROVISION MUST NOT BE INCLUDED IN AN OFFENDER'S MOTOR VEHICLE RECORDS MAINTAINED BY THE DEPARTMENT OF PUBLIC SAFETY OR IN THE CRIMINAL RECORDS MAINTAINED BY SLED, TO PROVIDE THAT A CITATION MUST BE ISSUED PURSUANT TO A MOTOR VEHICLE STOP MADE WHEN AN OFFICER HAS PROBABLE CAUSE FOR A VIOLATION OF THIS PROVISION BASED ON HIS CLEAR AND UNOBSTRUCTED VIEW OF A DRIVER SEVENTEEN YEARS OF AGE OR YOUNGER OR AN OCCUPANT OF THE MOTOR VEHICLE SEVENTEEN YEARS OF AGE OR YOUNGER WHO IS NOT WEARING A SEAT BELT OR IS NOT SECURED IN A CHILD RESTRAINT SYSTEM WITHOUT CITING ANY OTHER VIOLATION, AND TO PROVIDE THAT A VEHICLE, DRIVER, OR OCCUPANT IN A VEHICLE MAY NOT BE SEARCHED SOLELY FOR A VIOLATION OF THIS PROVISION OR CERTAIN MOTOR VEHICLE STOPS MADE PURSUANT TO THIS PROVISION.-AMENDED TITLE

01/23/01	Senate	Introduced and read first time SJ-10
01/23/01	Senate	Referred to Committee on Transportation SJ-10
02/20/01	Senate	Committee report: Favorable with amendment Transportation SJ-11
02/22/01	Senate	Amended SJ-11
02/22/01	Senate	Read second time SJ-11
02/22/01	Senate	Ordered to third reading with notice of amendments SJ-11
03/01/01	Senate	Read third time and sent to House SJ-12
03/06/01	House	Introduced and read first time HJ-14
03/06/01	House	Referred to Committee on Education and Public Works HJ-14
05/03/01	House	Committee report: Favorable with amendment Education and Public Works HJ-4
05/09/01	House	Requests for debate-Rep(s). Altman, Littlejohn, Davenport, Weeks, Scarborough, Simrill, Stuart, Townsend, Robinson, Trotter, GM Smith, Hinson, Miller, Stille, Martin, Walker and Sandifer HJ-23
05/10/01	House	Requests for debate removed-Rep(s). Simrill HJ-23
05/30/01	House	Amended HJ-45
05/30/01	House	Read second time HJ-51
05/30/01	House	Roll call Yeas-83 Nays-15 HJ-51
05/30/01	House	Reconsider second reading HJ-58
05/30/01	House	Read second time HJ-61
05/30/01	House	Roll call Yeas-84 Nays-17 HJ-61
05/31/01	House	Read third time and returned to Senate with amendments HJ-11
06/07/01	Senate	House amendment amended SJ-58

06/07/01	Senate	Returned to House with amendments SJ-58
06/07/01	House	Concurred in Senate amendment and enrolled HJ-168
06/28/01		Ratified R 148
07/03/01		Signed By Governor
07/03/01		Effective date This Act takes effect 07/01/01, and applies to all offenses committed on or after that date
07/18/01		Copies available
07/18/01		Act No. 65