**A** **BILL**

TO AMEND SECTION 56‑5‑6540, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PENALTIES FOR SAFETY BELT VIOLATIONS, SO AS TO PROVIDE THAT A VIOLATION OF ANY SAFETY BELT PROVISION IS ADMISSIBLE AS EVIDENCE IN A CIVIL ACTION TO ESTABLISH COMPARATIVE NEGLIGENCE UNDER CERTAIN CIRCUMSTANCES.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 56‑5‑6540(C) of the 1976 Code, as last amended by Act 147 of 2005, is further amended to read:

“(C) A violation of this article ~~is~~ shall not be considered negligence per se ~~or contributory negligence, and is not admissible as evidence~~ in a civil action. A violation of this article is admissible as evidence in a civil action to establish comparative negligence, if the party presenting the evidence also presents testimony from a qualified expert witness, in accordance with the South Carolina Rules of Civil Procedure, that the use of a safety belt, more likely than not, would have prevented or reduced the injury.”

SECTION 2. This act takes effect upon approval by the Governor.

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