

Session 114 - (2001-2002)

S 0111 General Bill, By Land and Rankin

Summary: Safety belts, mandatory enforcement of; driver responsibility, fine revised, violations; Motor Vehicles, Courts

A BILL TO AMEND SECTION 56-5-6520, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MANDATORY USE OF SAFETY BELTS, SO AS TO DELETE THE PROVISION THAT CHARGES A MOTOR VEHICLE DRIVER WITH THE RESPONSIBILITY OF REQUIRING EACH OCCUPANT OVER SIX AND UNDER SEVENTEEN YEARS OF AGE TO WEAR A SAFETY BELT, AND PROVIDE THAT A MOTOR VEHICLE DRIVER IS CHARGED WITH THE RESPONSIBILITY OF REQUIRING EACH OCCUPANT TO WEAR A SAFETY BELT OR OTHER CHILD RESTRAINT SYSTEM; TO AMEND SECTION 56-5-6530, RELATING TO EXCEPTIONS TO THE MANDATORY USE OF SAFETY BELT REQUIREMENT, SO AS TO DELETE THE PROVISION THAT EXEMPTS CERTAIN CHILDREN FROM THE MANDATORY USE OF SAFETY BELT REQUIREMENT IF THEY ARE OTHERWISE PROPERLY RESTRAINED; TO AMEND SECTION 56-5-6540, RELATING TO PENALTIES IMPOSED FOR VIOLATING AND THE ENFORCEMENT OF THE MANDATORY USE OF SAFETY BELT REQUIREMENT, SO AS TO REVISE THE FINE AND WHO IT MAY BE IMPOSED UPON FOR VIOLATING THE MANDATORY USE OF SAFETY BELT REQUIREMENT, TO PROVIDE FOR PRIMARY ENFORCEMENT OF THE MANDATORY USE OF SAFETY BELT REQUIREMENT, AND DELETE THE PROVISION THAT STATES THAT A VIOLATION OF THE MANDATORY USE OF SAFETY BELT REQUIREMENT DOES NOT CONSTITUTE NEGLIGENCE PER SE OR CONTRIBUTORY NEGLIGENCE; AND BY ADDING SECTION 56-5-6545 SO AS TO PROVIDE THAT EVIDENCE OF A VIOLATION OF THE MANDATORY USE OF SAFETY BELT REQUIREMENT MAY BE ADMISSIBLE IN A CIVIL SUIT TO BE CONSIDERED BY THE JURY OR JUDGE ON THE ISSUE OF THE COMPARATIVE NEGLIGENCE OF THE VIOLATOR.

01/10/01 Senate Introduced and read first time SJ-46

01/10/01 Senate Referred to Committee on Transportation SJ-46

01/30/01 Senate Recalled from Committee on Transportation SJ-4

01/30/01 Senate Committed to Committee on Judiciary SJ-4