**South Carolina General Assembly**

118th Session, 2009-2010

**S. 180**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Massey and Bryant

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Introduced in the Senate on January 13, 2009

Currently residing in the Senate Committee on **Judiciary**

Summary: Safety belts

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/10/2008 Senate Prefiled

12/10/2008 Senate Referred to Committee on **Transportation**

1/13/2009 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2009\01-13-09.docx)‑154

1/13/2009 Senate Referred to Committee on **Transportation** [SJ](file:///h:\SJ%20Archive\2009\01-13-09.docx)‑154

1/28/2009 Senate Recalled from Committee on **Transportation** [SJ](file:///h:\SJ%20Archive\2009\01-28-09.docx)‑3

1/28/2009 Senate Committed to Committee on **Judiciary** [SJ](file:///h:\SJ%20Archive\2009\01-28-09.docx)‑3

**VERSIONS OF THIS BILL**

[12/10/2008](file:///p:\pprever\2009-10\180_20081210.docx)

**A** **BILL**

TO AMEND SECTION 56‑5‑6540 OF THE 1976 CODE, RELATING TO SAFETY BELTS, 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 is 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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