**South Carolina General Assembly**

119th Session, 2011-2012

**S. 577**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Massey

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Introduced in the Senate on February 16, 2011

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

Summary: Safety belt violation admissible in civil court

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/16/2011 Senate Introduced and read first time ([Senate Journal‑page 6](file:///h:\sj%20archive\2011\02-16-11.docx))

2/16/2011 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 6](file:///h:\sj%20archive\2011\02-16-11.docx))

**VERSIONS OF THIS BILL**

[2/16/2011](file:///p:\pprever\2011-12\577_20110216.docx)

**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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