

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 344*
Committee Substitute Favorable 4/29/97
Committee Substitute #2 Favorable 4/30/97
Senate Transportation Committee Substitute Adopted 7/14/97
Senate Judiciary Committee Substitute #2 Adopted 8/5/98

Short Title: Motor Vehicle Occupant Restraints.

(Public)

Sponsors:

Referred to:

February 26, 1997

1 A BILL TO BE ENTITLED
2 AN ACT TO ENHANCE MOTOR VEHICLE OCCUPANT RESTRAINT SAFETY.
3 The General Assembly of North Carolina enacts:
4 Section 1. G.S. 20-135.2A(a) reads as rewritten:
5 "(a) Each front seat occupant who is 16 years of age or older and each driver of a
6 passenger motor vehicle manufactured with seat safety belts in compliance with Federal
7 Motor Vehicle Safety Standard No. 208 shall have such a safety belt properly fastened about
8 his body at all times when the vehicle is in forward motion on a street or highway in this
9 State. Each driver of a passenger motor vehicle manufactured with seat safety belts in
10 compliance with Federal Motor Vehicle Safety Standard No. 208, who is transporting in the front
11 seat a person who is (1) under 16 years of age and (2) not required to be restrained in accordance
12 with G.S. 20-137.1, shall have the person secured by such a safety belt at all times when the
13 vehicle is operated in forward motion on a street or highway in this State. Persons required to be
14 restrained in accordance with G.S. 20-137.1 shall be secured as required by that section."
15 Section 2. G.S. 20-135.2A(e) reads as rewritten:

1 ~~"(e) Any person violating this section during the period from October 1, 1985, to~~
2 ~~December 31, 1986, shall be given a warning of violation only. Thereafter, any person~~
3 ~~violating~~ Any driver or passenger who fails to wear a seat belt as required by this section
4 shall have committed an infraction and shall pay a fine penalty of twenty-five dollars
5 (\$25.00). ~~fifty dollars (\$50.00).~~ An infraction is an unlawful act that is not a crime. The
6 procedure for charging and trying an infraction is the same as for a misdemeanor, but
7 conviction of an infraction has no consequence other than payment of a fine. A person
8 convicted of an infraction found responsible for a violation of this section may not be
9 assessed court costs."

10 Section 3. G.S. 20-137.1(a) reads as rewritten:

11 "(a) Every driver who is transporting a ~~child passenger~~ of less than 12-16 years of
12 age shall have the child passenger properly secured in a child-an age-appropriate
13 passenger restraint system (car safety seat) which meets federal standards applicable at the time
14 of its manufacture. The requirements of this section may be met when the child is four years of
15 age or older by securing the child in a seat safety belt system.

16 When a child is less than five years of age and less than 60 pounds in weight, the
17 requirements of this section shall be met by securing the child in a car safety seat which
18 meets federal standards applicable at the time of its manufacture. The car safety seat
19 shall be secured in a rear seat of the vehicle if the vehicle has a rear seat that will
20 accommodate a car safety seat. In the case of a car or van that has more than two rows of
21 passenger seats, a rear seat includes any middle row seat.

22 When a child is five years of age or older or is 60 pounds or more in weight, the
23 requirements of this section may be met by securing the child in a seat safety belt."

24 Section 4. This act becomes effective January 1, 1999.