

SENATE NO. 2068

AN ACT ESTABLISHING A PRIMARY SEAT BELT LAW

*Be it enacted by the Senate and House of Representatives in General Court assembled,
And by the authority of the same, as follows:*

1 SECTION 1. Section 13A of chapter 90 of the General Laws, as appearing in the 2004
2 Official Edition, is hereby amended by striking the seventh paragraph beginning on line
3 23 and inserting in place thereof the following: –
4 Any person who operates a motor vehicle without a safety belt, and any person sixteen
5 years of age or over who rides as a passenger in a motor vehicle without wearing a
6 safety belt in violation of this section, shall be subject to a fine of twenty-five dollars.
7 Any operator of a motor vehicle shall be subject to an additional fine of twenty-five
8 dollars for each person under the age of sixteen and not younger than twelve who is a
9 passenger in said motor vehicle and not wearing a safety belt. The provisions of this
10 section shall be enforced by law enforcement agencies when an operator of a motor
11 vehicle or passenger who rides in the front seat is not wearing a safety belt in violation
12 of motor vehicle laws. A police officer may not search or inspect a motor vehicle, its
13 contents, the driver, or a passenger solely because of a violation of this section. For a
14 period of 180 days following the effective day of this act, any law enforcement official

15 who stops a motorist solely because of failure to wear a safety belt shall not issue a
16 citation, but shall only issue a written or verbal warning.

17 SECTION 2. Chapter 228 of the Acts of 2000 is hereby amended by adding at the end
18 the following new section:- The registry of motor vehicles shall maintain information specified
19 in Section 8 of this Act for any citation or warning issued or any stop not resulting in a warning
20 or citation for failure to wear a seat belt as required by paragraph 7 of section 13A of chapter 90
21 of the General Laws. The registry of motor vehicles shall forward this data to the attorney
22 general and the clerks of the House of Representatives and the Senate no later than January 1,
23 2008 and at least annually thereafter.