1	HOUSE OF REPRESENTATIVES - FLOOR VERSION
2	STATE OF OKLAHOMA
3	1st Session of the 59th Legislature (2023)
4	ENGROSSED SENATE BILL NO. 681 By: Pederson and Hicks of the
5	Senate
6	and
7	Ford of the House
8	
9	An Act relating to motor vehicles; amending 47 O.S. 2021, Section 12-417, as amended by Section 97,
10	Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2022, Section 12-417), which relates to required safety belts;
11	modifying requirements; and declaring an emergency.
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13	BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:
14	SECTION 1. AMENDATORY 47 O.S. 2021, Section 12-417, as
15	amended by Section 97, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2022,
16	Section 12-417), is amended to read as follows:
17	Section 12-417. A. 1. Every operator and front seat passenger
18	of a Class A commercial motor vehicle, Class B commercial motor
19	vehicle, Class C commercial motor vehicle or a passenger vehicle
20	operated in this state shall wear a properly adjusted and fastened
21	safety seat belt system, required to be installed in the motor
22	vehicle when manufactured pursuant to 49 C.F.R., Section 571.208.
23	2. Every passenger sixteen (16) years of age and younger in the
24	back seat of a passenger vehicle shall wear a properly adjusted and

1 <u>fastened safety seat belt, unless otherwise provided for in a child</u> 2 <u>passenger restraint system as required pursuant to Section 11-1112</u> 3 of this title.

<u>3.</u> For the purposes of this section, "passenger vehicle" shall
mean a Class D motor vehicle, but shall not include trucks, trucktractors, recreational vehicles, motorcycles, or motorized bicycles,
or a vehicle used primarily for farm use which is registered and
licensed pursuant to the provisions of Section 1134 of this title.

9 Β. The Commissioner of Public Safety, upon application from a 10 person who, for medical reasons, is unable to wear a safety seat 11 belt system supported by written attestation of such fact from a 12 physician licensed pursuant to Section 495 of Title 59 of the 13 Oklahoma Statutes, may issue to the person an exemption from the The exemption shall be in the form of a provisions of this section. 14 restriction appearing on the driver license of the person and shall 15 remain in effect until the expiration date of the driver license. 16 Nothing in this subsection shall be construed to prevent the person 17 from applying for another exemption as provided for in this section. 18 The issuance of an attestation by a physician and the subsequent 19 issuance of an exemption by the Commissioner, in good faith, shall 20 not give rise to, nor shall the physician and the state thereby 21 incur, any liability whatsoever in damages or otherwise, to any 22 person injured by reason of failure of the person to wear a safety 23 24 seat belt system.

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C. This section shall not apply to an operator of a motor
 vehicle while performing official duties as a route carrier of the
 U.S. Postal Service.

D. The Department of Public Safety shall not record or assess
points for violations of this section on any license holder's
traffic record maintained by Service Oklahoma.

7 E. Fine and court costs for violating the provisions of this
8 section shall not exceed Twenty Dollars (\$20.00).

9 F. Municipalities may enact and municipal police officers may 10 enforce ordinances prohibiting and penalizing conduct under 11 provisions of this section, but the provisions of those ordinances 12 shall be the same as provided for in this section, and the 13 enforcement provisions under those ordinances shall not be more 14 stringent than those of this section.

15 SECTION 2. It being immediately necessary for the preservation 16 of the public peace, health or safety, an emergency is hereby 17 declared to exist, by reason whereof this act shall take effect and 18 be in full force from and after its passage and approval.

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20 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 04/11/2023 - DO PASS.

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