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## FAILURE TO USE SEAT BELTS: INCREASE PENALTIES

**House Bill 4655**  
**Sponsor: Rep. Susan Tabor**  
**Committee: Family and Civil Law**

**Complete to 3-20-00**

### A SUMMARY OF HOUSE BILL 4655 AS INTRODUCED 5-11-00

Currently, under the Michigan Vehicle Code, each driver and front seat passenger of a motor vehicle operated on a street or highway in the state must wear a properly adjusted and fastened safety belt. Children must be further protected; any child under the age of one must be in a child restraint system, any child at least one but under four must be in a child restraint system when in the front seat of a vehicle, and any child at least one but under four must be in a child restraint system or secured by a safety belt when in the rear seat. Any child of four or more but less than sixteen years old also must wear a properly adjusted and fastened safety belt, unless, the vehicle is transporting more children than it has safety belts and all the safety belts are in use.

Public Act 29 of 1999, which took effect March 10, 2000, allows for the primary enforcement of safety belt violations. (An officer may stop a citizen solely for a violation of the safety belt law.) However, enforcement of the safety belt requirements will revert to a secondary action if, after December 31, 2005, the Office of Highway Safety and Planning (in the Department of State Police) certifies that there has been less than 80 percent compliance with the requirements during the preceding year. [For further information about P.A. 29 of 1999, see the Senate Fiscal Analysis of Enrolled Senate Bill 335, dated 8-2-99.]

House Bill 4655 would amend the penalty provisions regarding failure to wear a safety belt or to properly secure a child in a vehicle. Failure to properly secure a child under the age of four would be punishable by a civil fine of up to \$20 for a first offense, a second or subsequent offense would be punishable by fine of up to \$30. Failure to wear a safety belt or failure to have a child of four years of age but less than 16 years of age would be \$50 fine, with a second or subsequent offense resulting in a fine not to exceed \$65.

MCL 257.907

Analyst: W. Flory

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