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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1165 Session of  
1993

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INTRODUCED BY SAURMAN, HECKLER, GEIST, MILLER, TRELLO AND  
CORNELL, APRIL 19, 1993

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REFERRED TO COMMITTEE ON TRANSPORTATION, APRIL 19, 1993

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AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated  
2 Statutes, further providing for restraint systems.

3 The General Assembly of the Commonwealth of Pennsylvania  
4 hereby enacts as follows:

5 Section 1. Section 4581(a) of Title 75 of the Pennsylvania  
6 Consolidated Statutes is amended to read:

7 § 4581. Restraint systems.

8 (a) Occupant protection.--

9 (1) Any person who is operating a passenger car, Class I  
10 truck, Class II truck, classic motor vehicle, antique motor  
11 vehicle or motor home registered in Pennsylvania and who  
12 transports a child under four years of age anywhere in the  
13 motor vehicle, including the cargo area, shall fasten such  
14 child securely in a child passenger restraint system, as  
15 defined in subsection (d). This subsection shall apply to all  
16 persons while they are operators of motor vehicles where a  
17 seating position is available which is equipped with a seat

1 safety belt or other means to secure the systems or where the  
2 seating position was originally equipped with seat safety  
3 belts.

4 (2) Except for children under four years of age and  
5 except as provided in paragraph (1), each driver [and front],  
6 front seat occupant and rear seat occupant of a passenger  
7 car, Class I truck, Class II truck or motor home operated in  
8 this Commonwealth shall wear a properly adjusted and fastened  
9 safety seat belt system. [A conviction under this paragraph  
10 by State or local law enforcement agencies shall occur only  
11 as a secondary action when a driver of a motor vehicle has  
12 been convicted of any other provision of this title.] The  
13 driver of a passenger automobile shall secure or cause to be  
14 secured in a properly adjusted and fastened safety seat belt  
15 system any [occupant in the front seat who is] occupants in  
16 the front and rear seats who are four years of age or older  
17 and less than 18 years of age. This paragraph shall not apply  
18 to:

19 (i) A driver [or front], front seat occupant or rear  
20 seat occupant of any vehicle manufactured before July 1,  
21 1966.

22 (ii) A driver [or front], front seat occupant or  
23 rear seat occupant who possesses a written verification  
24 from a physician that he is unable to wear a safety seat  
25 belt system for physical or medical reasons, or from a  
26 psychiatrist or other specialist qualified to make an  
27 informed judgment that he is unable to wear a safety seat  
28 belt system for psychological reasons.

29 (iii) A rural letter carrier while operating any  
30 motor vehicle during the performance of his duties as a

1 United States postal service rural letter carrier only  
2 between the first and last delivery points.

3 (iv) A driver who makes frequent stops and is  
4 traveling less than 15 miles per hour for the purpose of  
5 delivering goods or services while in the performance of  
6 his duties and only between the first and last delivery  
7 points.

8 A violation of this paragraph shall not be subject to the  
9 assessment of any points under section 1535 (relating to  
10 schedule of convictions and points).

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12 Section 2. This act shall take effect in 60 days.