

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1384 Session of
1997

INTRODUCED BY CORNELL, YOUNGBLOOD, DALEY, GIGLIOTTI, MARKOSEK,
SHANER, ROONEY, DeLUCA, STABACK, BELARDI, WAUGH, WASHINGTON,
TRAVAGLIO, HERSHEY, RAMOS, E. Z. TAYLOR, MELIO, L. I. COHEN,
ITKIN, CORRIGAN, TRELLO, C. WILLIAMS, BARD, LAUGHLIN AND
BENNINGHOFF, APRIL 30, 1997

REFERRED TO COMMITTEE ON TRANSPORTATION, APRIL 30, 1997

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 and who transports a child under four
12 years of age anywhere in the motor vehicle, including the
13 cargo area, shall fasten such child securely in a child
14 passenger restraint system, as defined in subsection (d). For
15 purposes of this paragraph, only one child at a time must be
16 secured by a seat safety belt. This subsection shall apply to

1 all persons while they are operators of motor vehicles where
2 a seating position is available which is equipped with a seat
3 safety belt or other means to secure the systems or where the
4 seating position was originally equipped with seat safety
5 belts.

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

21 (i) A driver or front seat occupant of any vehicle
22 manufactured before July 1, 1966.

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

30 (iii) A rural letter carrier while operating any

1 motor vehicle during the performance of his duties as a
2 United States postal service rural letter carrier only
3 between the first and last delivery points.

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

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

12 * * *

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